

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
November 9, 2020, 5:00 P.M.
Zoom Webinar Meeting**

I. 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: none

Some Members of the Public Present: Michael Bucy

Staff Present: Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Michele Elfers, Parks & Recreation Deputy Director; Jill Maclean, CDD Director

II. APPROVAL OF AGENDA

The agenda was amended to add Item D to the Agenda Topics list, "Discussion of the Name and Scope of the Lands Committee."

III. APPROVAL OF MINUTES

The August 31, 2020 Draft Minutes were approved.

IV. PUBLIC PARTICIPATION

No public participation.

V. AGENDA TOPICS

A. Easement Code Amendment

Mr. Bleidorn discussed this topic to amend the CBJ easement codes, 53.09.300(b) and 53.09.300(f) to bring them up-to-date with other existing codes. For (b), the changes are to alter the language to include an application fee instead of a base fee and changing the amount to \$100.00 from \$15.00. For the second section, (f), the amendments are to add the phrase to the sale or lease price to include "not less than fair market value as determined by the Manager. If the Manager cannot determine fair market value, the applicant shall pay for an appraisal ordered by the Manager," and remove the phrase, "the appraised value established not more than 90 days prior to assembly authorization of the easement." One of the reasons for this change is that 90 days is not standard and with real estate appraisals, which is usually 180 days. In the case of most easements, the value is generally low and the cost of the appraisal will be more significant than the cost of the land. These changes are to streamline the process and allow it to be more conforming.

Mr. Bryson asked if there is a base price per square footage that the City that the Manager will be able to start from and will this simplify the process of getting an easement. Mr. Bleidorn replied that there is not a base price due to each easement being based on size, zoning, and existing infrastructure, which all effect the price. If the value were difficult to determine then we would default to an appraisal, which is what we usually get most of the time. Staff can also look at assessed values of neighboring properties and review previous easements that are similar to help determine a value. We can also bring in the Assessor's Office for help in determination. This new process will make it faster for the applicant who is waiting for an appraisal to be complete and it will streamline the process as there is staff time involved in arranging the appraisal, which Lands pays for up front to ensure the appraiser has the City's best interest in mind as well. The applicant will pay for the appraiser as they reimburse the City. There will ultimately be some time and staff savings in allowing the Manager to determine easement values.

Mr. Smith asked if every easement requires an appraisal now. Chair Gladyszewski and Mr. Bleidorn replied yes, as it is now written whenever there is an easement request an appraisal not more than 90 days old is required, which after the application proceeds through the Lands Committee and Assembly, it can exceed that time and would require the appraisal to be updated after the 90 days. Mr. Smith asked if Lands would then ever need an appraisal and what if the applicants did not agree with the value. Mr. Bleidorn replied that the default would still be an appraisal, as it is the most common way to determine fair market value. The Manager would be able to determine value, which is the case for land sales and are often more valuable than a small easement. The land sales code has a section that allows the Manager to determine value and our default will still be an appraisal. Item B on the agenda is an example of why we want to allow this change.

Motion for the Lands Committee to direct the City Attorney to draft an ordinance for the 53.09.300 code amendments for Assembly presentation passed.

B. Chicken Yard Park Easement Request

This request is for a utility easement at Chicken Yard Park on 626 5th Street. In 2019 CBJ granted an easement to the homeowner adjacent to Chicken Yard Park (626 5th Street) to resolve an issue of access through the park, avoid litigation, and allow CBJ to move ahead with planned improvements to the park. The 2019 easement includes two parking spaces within the park, vehicle parking access (driveway easement), and pedestrian access through the park from the parking spaces to the residence.

The Lands Office received an application for an additional easement across Chicken Yard Park on City property. The homeowner has requested to run conduit and electrical wiring from their home to an electric vehicle charger that they plan to install within the existing parking space easement. This utility easement request was discussed at the September 1, 2020 PRAC, which provided the recommendation that the Lands Committee support the utility easement request and forward it to the full Assembly for consideration.

A motion of support from the Lands Committee to the Assembly for granting a utility easement through Park property passed.

C. Williams & Colp Application to Acquire City Property

This item had been to the Lands Committee a few years ago with positive support and then stalled until just recently. The original application was brought to the Lands Committee on April 10, 2017 meeting with a motion of support to the Assembly for a fair market value negotiated sale of City property to the original applicants Williams and Colp. The application was from Dwight Scott Williams and Carol Colp to acquire City property in North Douglas adjacent to their property at 11259 N. Douglas Highway. The applicants own a substandard triangular shaped lot approximately 14,000 square feet and if approved, the applicant's property will meet the minimum square footage necessary for the dimensional requirements of the rural reserve zoning district. The application received support in 2017 from the Assembly as new business to work with the original applicant. There was support from the Planning Commission for the sale of a portion of USS 3559, with the following condition that the area of land disposed by CBJ to the applicants shall be the minimum necessary to meet the dimensional requirements of the rural reserve zoning district found in Title 49, the Land Use Code.

Mr. Bryson asked about the definition of rural reserve, if the applicant is trying to build one house on their lot and trying to bring it up to code, what is the proposed fair market value, or if Lands has an estimate of that value to be charged. Mr. Bleidorn replied that to meet the zoning requirements was a condition from the Planning Commission to build a home on their lot. A 2017 appraisal was completed but both the City and applicants agreed the price was too low have been in discussions about fair market value and have come up with a value estimate around \$34,000. Mr. Bryson replied that his question was to confirm that the applicant could build what he wants in the area that is zoned rural reserve. Mr. Bleidorn replied that that has been discussed with the applicant through this process to confirm his intent to build is what is being followed through with.

Ms. Hughes-Skandijs noted that the Planning Commission has requested that the applicant acquire land to meet the minimum to build their home and looking through past minutes that the request for land was not enough to meet the minimum. When the Assembly gets the ordinance, will the applicants be purchasing enough land to meet the lot size? Mr. Bleidorn replied that originally it went to the Lands Committee prior to the Planning Commission and that there was some talk with the applicant to purchase a larger lot than their original application to meet the minimum requirements. Lands has continued to work with the applicant to ensure that they meet the requirements.

Mr. Smith questioned the dimensional requirements in that it did not seem like the lot requested would meet the minimum square feet. Chair Gladziszewski replied that the recommendation from the Planning Commission was to sell the applicant the amount of land that would meet the lot size required in a rural reserve, whatever that amount would be and noted that the reason the triangle doesn't work is due to the setbacks that are required in order to build a house. Mr. Smith wanted to clarify that the amount requested would meet the minimum amount as the documentation was unclear that the amount to be sold did not make the lot conforming. Chair Gladziszewski replied the Planning Commission would only sell the amount to make the applicant's lot conforming. Mr. Bleidorn commented that the original application did not meet the minimum but the applicants have since that time agreed to purchase the minimum amount to make their lot conforming, which is a larger lot than the initial application.

Staff requested a motion of support to the Assembly for the disposal of City property to Dwight Williams and Carol Colp for fair market value, motion passed.

D. Discussion of the Name and Scope of the Lands Committee

Chair Gladziszewski introduced a new topic to the Agenda on the scope and name of the Lands Committee. This topic was part of a discussion during the Assembly retreat on November 7, 2020 to align the goals of the Lands Committee with those discussed during the retreat. There was some discussion that this committee be titled Housing and Economic development and that will be included at the next Lands Committee meeting.

Mr. Bryson commented that economic development could be thought of through our land resources or the revision of the easement code to lower the costs for those that are trying to build. If we think of the big picture, this group could even be involved in the electrification of the docks. This committee could also just discuss land issues that come up and spend more time discussing those, such as Pederson Hill. One of the reasons behind the Assembly's committees is to filter information and vet it for the Assembly. Economic development will be very important over the next few years, such as cost of living issues.

Mr. Mertl asked for background information for the Liaisons that were not present at the retreat. Chair Gladziszewski replied that the focus was to ensure that the committees are structured to work on issues that they want to complete and work through and to review some of the Assembly's goals and address what is not being discussed in committees.

The decision was made to add this item to the next Lands Committee meeting on December 7, 2020, for further discussion.

VI. STAFF REPORTS

A. Mendenhall Valley Air Quality Program Update (verbal)

Mr. Bleidorn gave an overview of the air quality program for the Mendenhall Valley, managed by Lands. There are numerous health effects due to air pollution and the City monitors this between October and April each year. Lands monitors the particulate matter, or PM2.5, throughout each day during this time. Wood smoke is a major source of PM2.5 in the Valley and many residents have converted to more efficient woodstoves, reducing the amount of pollution.

An air inversion can happen when cool air is trapped under a layer of warm air, causing the air to become stagnant. Lands works with the State of Alaska and their monitoring station above Floyd Dryden Middle School. Lands has 12 signs throughout the valley to be opened in the event of an air emergency and works with the local radio stations to send out PSAs for air emergencies. The wood smoke hotline is updated during emergencies (586-5333), as well as Juneau.org/lands. Lands has also set up automated text messages to also alert citizens and has the City Facebook page updated.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

No comments or questions.

VIII. ADJOURNMENT

Chair Gladziszewski adjourned the meeting at 5: 48 PM.