

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

March 2, 2015, 5:00 PM.
Assembly Chambers

I. ROLL CALL

Jesse Kiehl called the meeting to order at 5:00pm.

Members Present: Mary Becker; Jesse Kiehl; Jerry Nankervis

Members Absent: Kate Troll

Liaisons Present: Bill Peters, Planning Commission; Mike Peterson, Docks & Harbors Board

Staff Present: Greg Chaney, Lands Manager; Rob Palmer, Assistant Municipal Attorney; Rorie Watt, Engineering and Public Works Director; Laurie Sica, City Clerk; Laura Boyce, Senior Planner; Beth McKibben, Planning Manager; Hal Hart, CDD Director; Rob Steedle, Deputy City Manager; Amy Mead, City Attorney; Bob Bartholomew, Finance Director

II. APPROVAL OF AGENDA

There were no agenda changes.

III. APPROVAL OF MINUTES

A. February 9, 2015

The minutes of the February 9, 2015 Lands Committee were approved.

IV. PUBLIC PARTICIPATION

Mr. Mike Peterson stepped away from the dias to speak outside of his representation for the Docks and Harbors Board. He asked to have a determination on whether the access to the property in Hidden Valley was a road or a trail. He suggested that the applicant tear out road, put in a path and have ATV access like Tenekee or Tee Harbor, or create a new designation that is not remote and remote or hold your nose and provide a 16 foot width access trail to the property.

V. AGENDA TOPICS

A. Continued Discussion on Ordinance 2015-02; An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Remote Subdivisions Area Map for Hidden Valley Tract B, Located in the Upper Lemon Creek Valley, from "Not Remote" to Remote.

Laura Boyce, Planning Commission, provided a presentation to the committee.

Two issues were discussed concerning the proposed subdivision - should the property be classified as remote or not remote, and how the property could be subdivided under current subdivisions standards.

Ms. Boyce read from 49.15.460(5)(A) concerning the access requirement for a remote subdivision. She showed the requirements for remote subdivisions comparing rural remote versus rural / not remote (what current subdivision is).

Mr. Nankervis - private sewer is septic tank/leach field - yes. He asked for a reason for her presenting the option for a remote subdivision versus a rural subdivision. She said this outlined the subdivision requirements for the current designations and if it were designated remote.

Mr. Peters - when this came before the Planning Commission - it was determined that this is currently a trail, not a road, as developed, and for future development, there will be a discussion about further

requirements.

Mr. Nankervis said the currently required minimum road width of 28 feet was very wide and he thought that may be excessive for what was needed, but this does determine that the "road" there now is not a road.

Mr. Kiehl - Willoughby right of way - is that 28' wide? Mr. Chaney - 24 feet would be for two cars driving in two directions.

Mr. Watt said the land use code had a one size fits all approach to street standards and 28 feet was envisioned for two cars and parking. Drivable surface plus shoulders - two 10 foot lanes with 2 foot shoulders. He was not aware of a subdivision that was built outside the urban service area in his time at CBJ.

Ms. Becker asked if there was a definition of an official road in CBJ. It seemed like there were a lot of numbers. Mr. Watt said there were the land use code definition and a companion drawing in engineering standards - detailing a rural subdivision roadway.

Mr. Nankervis said that it is likely that a road for a rural subdivision hasn't been constructed because he thought the minimum was oversized.

Mr. Kiehl said if you can drive to a lot you can build a lot more than a cabin, and there could be up to 23 different owners interested in running water and building a road later on. It seems like a remote subdivision would be an ATV access way. There should be a memo stating that they are not interested in future services, or the developer should establish covenants that there would never be a call for future services. Mr. Kiehl said that people would eventually want services. He asked Mr. Palmer if he was satisfied that some representation that urban services would not be needed in a future subdivision.

Mr. Palmer said the covenants that were provided by the landowner were in the packet, whether that is enough, he was not sure. He referred to Bonnie Brae, which had covenants, and eventually those neighbors asked for city services.

Ms. Becker asked if the Bonnie Brae covenants protected the CBJ from having to pay for the services. Mr. Palmer - Bonnie Brae wasn't in this situation. They came to the City for help so they didn't have to pay an exorbitant cost to repair the community sewer system. Mr. Watt - spoke about the Bonnie Brae situation. Their discharge permit was expiring and DEC agreed to extend it if they could hook up to municipal sewer within a certain amount of time. Because of the location, the density, and nearness of other neighbors, it was unavoidable for CBJ to take over the system. Mr. Palmer - 49.15.460(5)(A) - asked to correct a response he had to the Assembly before. I have been corrected, the current code does have this code regarding whether lots have to front on navigable water. My response was no, but I've been corrected, that it does have to front on navigable water. If the Assembly approves this ordinance, we will look at a text amendment to change this provision.

Ms. Becker asked if current remote locations not on an island where there is 30 feet on navigable water. Ms. Boyce said that some of the properties were deemed remote because they have significant access to the water.

Mr. Palmer - explained the remote subdivision map - what is remote and not remote.

Mr. Kiehl - what recommendation to forward to the full Assembly? - whether to recommend that this map amendment go forward or not and if there should be any code changes. I can't buy the trail argument if a truck can drive it. We could call it remote even if there is a 24 foot driving service. I am concerned about a remote subdivision passed significant industrial use and I have a hard time believing that there won't be several homes up there and full time residents driving to work, which will lead to a request for services eventually. We should clarify this code to ensure people don't have to wait this long for a designation.

Mr. Peters said this trail would not allow a fire truck to access the property, so it is "remote." When the Planning Commission reviewed this, we reviewed it as a trail and not a road.

Mr. Nankervis - referred to the proposed subdivision covenants declaration - it speaks to a length of 25 years, but that it can be modified any time after 3 years, so this appears to be only a three year plan. Mr. Nankervis referred to fire trucks accessing Gastineau Avenue property which was undersized for current road standards and said that fire trucks have a reverse gear to enable them to back out. This road seems to have been installed without permission, we asked where people would park their cars if they were to park to take a trail up to their property. He said he had too many concerns to make a thumbs up recommendation.

Ms. Becker said she thought it was a neat idea, the Planning Commission made recommendations, and not sure what the next steps would be - if not designating it a road with covenants is not enough, she's not sure what would be enough.

MOTION, by Becker to forward the measure as proposed by the Planning Commission.

Mr. Kiehl said that property is within 5 minutes drive from Costco, after the first fire or heart attack, the road would be widened to city standards, so he was a no vote.

Mr. Nankervis was not supportive of the proposed remote subdivision, but supported moving it to the full assembly for further discussion.

MOTION, by Becker - to accept the proposal and send it to the full assembly.
Roll call

Aye: Becker, Nankervis

Nay: Kiehl

Motion passed, 2 ayes, 1 nay.

B. Lands Fund Overview

Mr. Chaney spoke about the Lands Fund, including the lands fund code. We are supposed to dispose of land with a purpose. Proceeds from sales go into the fund, and all costs associated with sale or acquisition come from the fund and are intended to be used to manage CBJ property. The Lands Division is self-funded - everyone who works in the division is funded by the lands fund. We also pay for help from engineering with managing the rock quarry. We were projected to bring in \$540,000 from gravel and rock sales, leases and easements, and a shortfall was projected in FY15. However, the costs were below budget and revenues were above projected, partly due to large amount of rock sales, the Lena Land sale. The projection for FY16 is back to showing a loss due to the economy, and other factors. We have long time frames to work out a return on investment. The Lena Subdivision was started over ten years ago and we realized funds this year from that. In FY14 there was \$2.9 million, FY15 projected was \$2.6 million, and FY15 actual is \$3.3 million in the Lands Fund. FY16 is projected to have \$2.9 million. We need several years of cushion to operate at a loss for a few years to get disposals online. If we wait until the economy is good to start planning a land disposal, we will be behind the curve.

Mr. Kiehl - significant increase for expenditures from FY15 actuals to FY16 budget. Mr. Chaney said the scales at the gravel pits need to be replaced and putting in a new electronic ticketing system.

Mr. Peterson - moving into a new generation of scales at the pits and quarries would be a good idea.

C. Tom Mattice, Emergency Program Coordinator, will provide a presentation concerning evaluation of grant options for riverbank stablization and flood mitigation

Mr. Kiehl apologized that the time had gone too long and the issue was put forward to a future meeting.

VI. STAFF REPORTS

There were no staff reports.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

There were no committee member or liaison comments.

VIII. ADJOURNMENT

The meeting adjourned at 5:53 p.m.