ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA

May 15, 2017 5:00 PM

City Hall Assembly Chambers
Regular Meeting 2017-11

Submitted By:

_____
Duncan Rorie Watt
City and Borough Manager

I. FLAG SALUTE

II. ROLL CALL

III. SPECIAL ORDER OF BUSINESS

A. **Proclamation - USS O'Kane**

IV. APPROVAL OF MINUTES

A. **April 24, 2017 Regular Assembly Meeting 2017-08**
B. **April 26, 2017 Special Assembly Meeting 2017-09**
C. **May 3, 2017 Special Assembly Meeting 2017-10**

V. MANAGER'S REQUEST FOR AGENDA CHANGES

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

B. Assembly Requests for Consent Agenda Changes

C. Assembly Action

1. Ordinances for Introduction

a. **Ordinance 2017-01 An Ordinance Amending the Building Regulations Code.**

This ordinance would update CBJ Title 19, the Building Code, based on the 2012 model codes adopted by the CBJ as modified by the Building

Code Advisory Committee.

The Public Works and Facilities Committee (PWFC) reviewed this ordinance at its April 10 and May 1, 2017, regular meetings. The PWFC recommended approval at its May 1, 2017, regular meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

b. **Ordinance 2016-09(AO) An Ordinance Appropriating to the Manager the Sum of $43,900 as Supplemental Funding for the Juneau International Airport for the Fiscal Year 2017 Operating Budget; Funding Provided from the Juneau International Airport Fund's Fund Balance.**

This ordinance would appropriate an additional $43,900 to the FY17 Airport operating budget, increasing the airport's spending authority by $43,900. Funds would be provided by the Airport Fund's Fund Balance.

The Airport Board approved the supplemental spending authority and Airport Fund Balance to cover the additional expense at its March 14, 2017, Airport Board meeting. The Assembly Finance Committee referred this request for approval to the full Assembly at the AFC meeting on April 19, 2017.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

c. **Ordinance 2016-09(AP) An Ordinance Appropriating to the Manager the Sum of $180,000 as Supplemental Funding for the Parks and Recreation Program for the Fiscal Year 2017 Operating Budget; Funding Provided from the General Fund's Fund Balance.**

This ordinance would appropriate an additional $180,000 to the FY17 Parks and Recreation operating budget. Funds will be provided by the General Fund's Fund Balance.

Though Park and Recreation's FY17 general operations expenditures are within the approved budget, the following issues resulted in the needed supplemental:

When the FY17 budget was developed, the department projected a 16% increase in revenue generation between FY16 and FY17, and a plan to increase promotion of the department's programs was put in place. Although revenues have increased in FY17, they have not increased as much as anticipated. In addition, the Parks and Recreation department reduced its general fund support by a combined total of $669,300 in FY16

and FY17.

Any portion of the supplemental that is not used would be returned to fund balance.

The Assembly Finance Committee referred this request for approval by the full Assembly at the AFC meeting on April 19, 2017.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

d. **Ordinance 2016-09(AQ) An Ordinance Appropriating to the Manager the Sum of $250,000 as Funding for the Pump Room as Part of the Fountain and Whale Related Site Elements that are Part of the Bridge Park Capital Improvement Project; Funding Provided through a Donation from The Whale Project Committee.**

The Whale Project is donating $250,000 to the CBJ for the construction of the pump room as part of the fountainworks for the whale statue at the Seawalk Bridge Park. This work will be completed as part of the Phase III Seawalk Bridge Park to Gold Creek project and construction is anticipated this summer and fall. The donated funds will be appropriated into the Bridge Park CIP, P41-090.

The Public Works and Facilities Committee (PWFC) forwarded this request to the full Assembly at its May 1, 2017, regular meeting.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

a. **Resolution 2794 - A Resolution De-Appropriating $499,954.54 from the Salmon Creek Secondary Disinfection Capital Improvement Project, Loan Funding from the Alaska Department of Environmental Conservation.**

The CBJ is de-appropriating the loan funding it did not use for the Salmon Creek Disinfection project: $499,954.54. The project was funded by legislative and ADEC grants and local funding; therefore it did not require use of this loan funding.

The original loan amount was for $5.27 million. Resolution 2746 de-appropriated $4,700,000 which left $570K of loan funds available. Only $70,045.46 of this loan was needed, thus we are now de-appropriating $499,954.54.

The Public Works and Facilities Committee approved this de-appropriation at its November 21, 2016, meeting.

The City Manager recommends the resolution be adopted.

b. **Resolution 2798 - A Resolution Ratifying the Economic Terms Tentative Agreement Between the City and Borough and the Marine Engineers Beneficial Association, and Applying those Terms to Non-represented Employees.**

This resolution would provide Assembly ratification of the economic terms reopener tentative agreement negotiated between the City and Borough of Juneau and the Marine Engineers Beneficial Association (MEBA) for fiscal year 2018, and would apply those same terms to non-represented employees of the CBJ.

The agreement includes the economic modification of a $950 lump sum payment in fiscal year 2018. The total cost of this provision for MEBA members and non-represented employees is projected to be approximately $489,600.

The City Manager recommends this resolution be adopted.

3. Liquor License

a. **Liquor License #673 Transfer of Beverage Dispensary License & Applicaton for a Restaurant Designation Permit**

Beverage Dispensary Liquor License #673 Transfer & Application for a Restaurant Designation Permit
Transfer FROM: James A. Holdings Company, LLC d/b/a James A. Holdings Company, LLC, Location: No Premises
Transfer TO: Juneau's Waterfront Restaurants, LLC d/b/a Pier 49 Seafood Station, Location: 406 S. Franklin Street.

The above liquor license transfer is before the Assembly to either protest or waive its right to protest. The Finance, Police, Fire, and Community Development departments have reviewed the above transfer and found the business to be in compliance with CBJ Code.

In the event the Assembly does protest this transfer, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise its right to an informal hearing before the Assembly. The sixty-day comment period for local governing body action will expire as of June 6, 2017.

The City Manager recommends the Assembly waive its right to protest this liquor license transfer and approve the application for a

Restaurant Designation Permit.

4. Other Items for consent

a. **Standard Marijuana Cultivation Facility License #11384 Green Elephant LLC**

The Alcohol Marijuana Control Office (AMCO) sends local governing bodies notice of marijuana license applications which allows local governing bodies the opportunity to protest or waive its right to protest the issuance or renewal of these licenses.

CBJ received notice of the following marijuana license application:

Standard Marijuana Cultivation Facility License #11384
Green Elephant, LLC ,
Location: 8420 Airport Blvd, Building B, Juneau, AK 99801

CBJ staff from the Police, Fire, Finance, and Community Development departments reviewed this application for compliance with CBJ laws and regulations and recommends that the Assembly waive its right to protest the issuance of this license.

As to CDD's recommendation, although Green Elephant does not yet have a local license and has not yet applied for or received a building permit for this location, CDD recommends allowing the applicant to move forward to obtain the state license. However Green Elephant will not be allowed to operate at this location until the city license has been issued.

Due to the large quantity of documents associated with each marijuana license, your packets have been limited to the following documents:

- State of Alaska Alcohol & Marijuana Control Office (AMCO) Notice to Local Governing Body
- AMCO Marijuana online application forms (redacted)
- Form MJ-01: Marijuana Establishment Operating Plan
- Form MJ-02: Premises Diagram
- Form MJ-08: Local Government Notice Affidavit

Copies of all the documents relating to these licenses are available upon request from the office of the Municipal Clerk during regular business hours.

The City Manager recommends the Assembly waive its right to protest the issuance of this marijuana license to Green Elephant, LLC.

5. Transfers

a. **Transfer T-986 Transfers $65,000 from One Capital Improvement Project to Provide Funding for One Capital Improvement Project.**

This transfer of $65,000 of water utility funds will provide the necessary funds to repair the water main in Engineers Cutoff adjacent to Fritz Cove Road. This segment of water main has been repaired numerous times with the most recent repair being in the middle of April. This water main is in imminent danger of catastrophic failure and needs to be replaced this construction season.

The SCADA Upgrades Project is also an important project to the water utility; however preventing a catastrophic water main failure is a higher priority and the SCADA Upgrades CIP will still have adequate funding to continue forward.

The Assembly Public Works and Facilities Committee reviewed this request on May 1, 2017, and forwarded it to the Assembly for adoption.

The City Manager recommends this transfer be approved.

b. **Transfer T-987 Transfers $270,000 from Five Capital Improvement Projects to Provide Funding for One Ongoing Capital Improvement Project.**

This transfer of $270,000 of sales tax funds will provide the Seawalk - Bridge to Gold Creek project with the necessary funding for the construction of the pump room. This funding will enable the whale statue and fountainworks to be completed.

The Montana Creek Bike Trail, P&R Department Review, LCB Mining Museum Ped. Bridge, and Fish Creek Improvements projects are complete and the transfers will close out these CIPs. The Parks & Playground CIP provides funding for priority park and playground projects annually. These funds will be transferred into the Bridge Park CIP, P41-090.
Transfer from:

Project	Transfer Amount
P46-047 Montana Creek Bike Trail	$8,932
P46-099 P&R Department Review	$25,521
P46-070 LCB Mining Museum Ped. Bridge	$16,402
P41-027 Fish Creek Improvements	$40,288
P41-059 Parks & Playground Improvement	$178,857

Total Transfer Amount **$270,000**

The Public Works and Facilities Committee (PWFC) forwarded this request at its May 1, 2017, regular meeting.

The City Manager recommends this transfer be approved.

VIIIPUBLIC HEARING

A. **Ordinance 2017-07 An Ordinance Appropriating Funds from the Treasury for FY18 School District Operations**

This ordinance would appropriate to the School District an FY18 operating budget of $87,267,200. This is an overall increase in the budget of $1.70 million from the FY17 Amended Budget. The School District's operating budget is:

· General Operations	$72,020,700
· Special Revenue (pupil transportation, food service, etc.)	7,164,400
· Other	8,082,100
Total Budget	$87,267,200

The FY18 school budget is supported with a combination of funding sources that includes local funding of $26,935,900. This consists of: $26,010,200 for general operations and $925,700 for programs and activities outside of the CAP.

These programs and activities include: $740,700 for student activities, $50,000 for pupil transportation, $40,000 for food service, and $95,000 for Community Schools. The $26 million in general operations support is an increase of $1 million over FY17. The other program and activities funding is unchanged.

The original ordinance was introduced at the April 5, 2017, Special Assembly meeting and referred to the Assembly Finance Committee for deliberation. On April 26, 2017, a Special Assembly meeting was held to hear public comment and for the Assembly to state, by motion, the amount of local funding to be provided to the School District.

The Assembly Finance Committee moved the ordinance at its May 10, 2017, meeting. The charter requires adoption by May 31, 2017.

The City Manager recommends this ordinance be adopted.

B. **Ordinance 2017-09 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of a Portion of USS 1568 TR B, Locally Known as Honsinger Pond, from Rural Reserve to Industrial.**

On January 24, 2017, the Planning Commission approved the forwarding of an

ordinance to the Assembly rezoning 23 acres of an 83 acre lot, locally known as the Honsinger Pond, from Rural Reserve to Industrial, with the following condition:

> Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

The Commission determined this condition was necessary because the Alaska Department of Transportation and Public Facilities will not approve use of the current access (a driveway on Yandukin Drive).

After the Commission voted to recommend the rezone, the applicant verified the boundaries of the proposed rezone area with an engineering firm. The applicant has since explained that the 23 acres originally identified in the application was based on a rough approximation. When the applicant verified final boundaries with the engineering firm, the firm noted that the original boundaries extended into the Yandukin/Egan Drive right-of-way, and therefore adjustments were necessary. The revised estimation is 26.21 acres. The Community Development Department notes that this change would not alter the analysis and findings in the AME20160007 staff report.

The City Manager recommends this ordinance be adopted.

C. **Ordinance 2017-10 An Ordinance Authorizing the Sale of Foreclosed Property Located at 15860 Glacier Highway by Public Auction.**

This ordinance addresses the final step in the foreclosure process of real property located at 15860 Glacier Highway. The back property taxes owed on the property total $16,356.10 and are from tax years 2014, 2015, and 2016.

State law provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold. This ordinance would establish that the property is not needed for a public purpose, and authorizes the manager to dispose of it by public outcry auction held in accordance with CBJ 53.09.230.

A version (b) has also been included in the packet for your consideration. Version (b) authorizes a secondary method of sale in the event the property is not successfully disposed of via outcry auction.

The City Manager recommends this ordinance be adopted.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. **Regulation Amending 05 CBJAC 15 Dockage Charges, Reservation Charge**

Policy, and Loading Permit Fees

The Docks & Harbors Board held a public hearing at its April 27, 2017 regular board meeting to make changes to three regulations.

05 CBJAC 15.030 (Dockage Charges) acknowledges the removal of the Marine Park Lightering Float and incorporates two new moorage facilities resulting from the new cruise ship docks project - Port Field Office (PFO) Float and Inside Cruise Ship Terminal (ICT).

05 CBJAC 15.035 (Reservation Charge Policy) establishes guidance for optimizing Intermediate Vessel Float and Statter Harbor moorage through a formal reservation policy.

05 CBJAC 15.080 (Loading Permit Fees) incrementally raises the fees associated with coach, bus and taxis using the Docks & Harbors downtown managed "A" and "B" Zone permits. The fees would be raised over the next two years and then indexed to the Anchorage CPI beginning in 2025.

The proposed regulations were vetted through the Docks & Harbors committees and publicly advertised for a minimum of 21 days prior to the board hearing and action. There were no comments received during the public notice period or at the public hearing.

The City Manager recommends the Assembly adopt the proposed regulations changes.

B. **Regulation Amending 20 CBJAC 40 Commercial Passenger Vehicles (Pedicabs)**

The current Commercial Passenger Vehicle (CPV) regulations only have insurance requirements for Class A and Class B vehicles. This regulation change would provide appropriate insurance requirements to include all classes of commercial passenger vehicles. An additional change would reduce the inspection fee for Class C vehicles from $50.00 per vehicle to $25.00 per vehicle. The current vehicle inspection fee for Class A and B (taxis, tour vans, limos, etc) vehicles is $50.00 per vehicle. The inspection of a Class C vehicle (pedicab) involves much less time than a motor vehicle; therefore the rate was reduced.
The public notice was posted at the public libraries and online, published in the Juneau Empire, and sent out to all holders of Certificates of Public Convenience & Necessity.
Six public comments were received regarding this change and were reviewed by the agency. No revisions to the recommended changes came as a result of the public comment.

The City Manager recommends the Assembly adopt the proposed regulations changes.

C. **Authorization for the Manager to Enter into a Negotiated Fair Market Value Sale of Lot 2, Renninger Subdivision**

The Lands Office received an application from the Alaska Housing Development Corporation (AHDC) to purchase Lot 2, Renninger Subdivision. The AHDC is a local not-for-profit corporation, which has developed, owns and manages 136 affordable rental units on three sites in the same Lemon Creek neighborhood as Lot 2. Their goal is to develop Lot 2 along with the development of Lots 6 & 7 in the Renninger Subdivision.

The Lands Committee provided a motion of support for this direct negotiation at its May 1, 2017, meeting. As established in CBJ§53.09.260(a), staff recommends that this proposal be pursued by direct negotiation with the original proposers because of the direct correlation with Assembly housing goals.

The City Manager requests a motion of support to enter into direct negotiations for the disposal of Lot 2, Renninger Subdivision with The Alaska Housing Development Corporation at fair market value.

D. **Protest Recommendation for Liquor License Renewal #2175 Midnight Ninja Ventures Inc. d/b/a Lupo**

Staff from the Finance, Fire, Police, Engineering/Public Works and Community Development departments have reviewed the above liquor license renewal. The Finance Department is recommending protest of the renewal **based on a balance owing as of May 5, 2017 of $40,362.28 due to outstanding sales tax, liquor tax, penalties and interest from the fourth quarter 2016 and first quarter 2017 returns.**

Normally, the licenses recommended for protest would be heard initially by the Assembly Human Resources Committee; however, the May 15 HRC meeting was cancelled and the 60-day comment period for Assembly action on this license will expire as of May 27, 2017 so this is coming to the Assembly directly for action.

CBJ Code 20.25.025 provides the business the right to an informal hearing before the Assembly if they choose to do so and this would be that opportunity should they choose to request an informal hearing. A copy of the letter dated May 5, 2017 notifying the licensee of their right to a hearing before the Assembly is included in your packet.

The City Manager recommends the Assembly protest the renewal of the liquor license #2175 due to the outstanding balances owing as outlined in the May 5, 2017 letter contained in your packet.

XI. STAFF REPORTS

XII. ASSEMBLY REPORTS

A. Mayor's Report

B. Committee and Liaison Reports

C. Presiding Officer Reports

XIII. ASSEMBLY COMMENTS AND QUESTIONS

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. EXECUTIVE SESSION

A. **Executive Session: CLIA Litigation**

XVI. ADJOURNMENT

XVII. SUPPLEMENTAL MATERIALS

A. Supplemental Materials for Ordinance 2017-09

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 24, 2017

MEETING NO. 2017-08: The Regular Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 7:00 p.m. by Mayor Ken Koelsch.

I. FLAG SALUTE

II. ROLL CALL

Assembly Present: Mary Becker, Maria Gladziszewski, Norton Gregory, Loren Jones, Jesse Kiehl, Ken Koelsch, Jerry Nankervis, Beth Weldon and Debbie White.

Assembly Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Bob Bartholomew, Finance Director; Marlene Love, Capital Transit Operations Supervisor; Greg Smith, Engineering Contract Administrator; Patricia Wahto, Airport Manager; Dallas Hargrave, HRRM Director; Greg Chaney, Lands and Resources Manager; and Rachel Friedlander, Lands and Resources Specialist.

III. SPECIAL ORDER OF BUSINESS

A. Special Recognition - Marlene Love Retirement

Mayor Koelsch introduced Marlene Love, and said she exemplified public service. Mr. Watt thanked Ms. Love for her 26 years of service for Capital Transit, retiring as the Operations Supervisor. He said Marlene was the glue that kept drivers trained and provided a high level of customer service, all with a positive attitude, and she would be missed.

B. Proclamation - Letter Carriers' Stamp Out Hunger Food Drive Day

Letter Carrier Mark Piotrowski was on hand to receive a Proclamation from Mayor Koelsch, proclaiming Saturday, May 13, as Letter Carriers' Food Drive Day. Mr. Piotrowski provided City Hall with a poster and explained that people could place non-perishable food items near their mailbox or deliver to the post office for collection. In the 25 years of the program, more than 1.5 billion pounds of food have been collected and distributed to local food banks nationwide.

C. Proclamation - Public Service Recognition Week May 7-13, 2017

Mayor Koelsch proclaimed the week of May 7 - 13, 2017 as Public Service Recognition week, to acknowledge government employees in all positions; local, state, and federal, who are committee to public safety, transportation, education, and service in improving the quality of life in their communities.

D. Proclamation - Litter Free Clean Up Week

Mayor Koelsch proclaimed Saturday, April 29, as "Juneau Community Clean-Up Day" and encouraged all residents to participate. Ms. Sica accepted the proclamation on behalf of Litter Free, Inc., which is coordinating the event with SEAL Trust, Juneau Watershed Partnership, and the Alaskan Brewery's Coastal Code program, along with many sponsors.

IV. APPROVAL OF MINUTES

A. April 3, 2017 Regular Assembly Meeting 2017-06

Hearing no objection, the minutes of the April 3, 2017 Regular Assembly Meeting 2017-06 were approved with grammatical corrections.

B. April 5, 2017 Special Assembly Meeting 2017-07

Hearing no objection, the minutes of the April 5, 2017 Regular Assembly Meeting 2017-07 were approved.

V. MANAGER'S REQUEST FOR AGENDA CHANGES

Mr. Watt requested that Ordinance 2017-10 be removed from public hearing and reschedule to the May 15 for the purposes of proper notice.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Kristi Dillingham, Principal of Mendenhall River Elementary School, Tawny Bentz, and John Loree were present to speak as a group on behalf of the Mendenhall River Site Council, and presented a letter about the long term maintenance needs of the Mendenhall River School, constructed in 1983. They cited the survey of schools and said the roof and walls are the only structural component that do not require significant rehabilitation. They listed several items that required repair.

VII. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes, Other Than Ordinances for Introduction

None.

B. Assembly Requests for Consent Agenda Changes

Mr. Jones requested that Bid Award BE-165 Aspen Avenue Pavement and Drainage Improvements, be removed from the Consent Agenda.

C. Assembly Action

MOTION, by Nankervis, to adopt the consent agenda, with the removal of the Bid Award, BE17-165, Aspen Avenue Pavement & Drainage Improvements. Hearing no objections, the consent agenda was adopted.

1. Ordinances for Introduction

   a. Ordinance 2017-09 An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of a Portion of USS 1568 TR B, Locally Known as Honsinger Pond, from Rural Reserve to Industrial.

On January 24, 2017, the Planning Commission approved the forwarding of an ordinance to the Assembly rezoning 23 acres of an 83 acre lot, locally known as the Honsinger Pond, from Rural Reserve to Industrial, with the following condition:

> Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

The Commission determined this condition was necessary because the Alaska Department of Transportation and Public Facilities will not approve use of the current access (a driveway on Yandukin Drive).

After the Commission voted to recommend the rezone, the applicant verified the boundaries of the proposed rezone area with an engineering firm. The applicant has since explained that the 23 acres originally identified in the application was based on a rough approximation. When the applicant verified final boundaries with the engineering firm, the firm noted that the original boundaries extended into the Yandukin/Egan Drive right-of-way, and therefore adjustments were necessary. The revised estimation is 26.21 acres. The Community Development Department notes that this change would not alter the analysis and findings in the AME20160007 staff report.

The City Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.

2. Resolutions

   a. Resolution 2797 A Resolution Amending the City and Borough of Juneau Personnel Rules.

   This resolution would approve one change to the Personnel Rules that would allow the overtime threshold for certain public safety employees to be set in accordance with the Fair Labor Standard Act 7k exemptions.
   The proposed change would amend 10 PR 120 to allow management to set a higher hours threshold for alternate FLSA workweeks applicable to specific types of police and fire employees. As an example, CCFR firefighters work a 56 hour work week, 24 hours on followed by 48 hours off. Alternate overtime thresholds, consistent with the FLSA, are set out in their collective bargaining agreement. This Personnel Rule change would allow the same thresholds to apply to non-covered employees working the same alternate work schedules. This change would assure covered and non-covered employees are treated equally in terms of pay provisions and should result in a small cost savings for the department.

   The City Manager recommends this resolution be adopted.

3. Bid Award

4. Liquor License

a. Liquor License Renewals for 2017

The following 2017/2018 Liquor License Renewals are before the Assembly for action:

Beverage Dispensary Licenses:
License # 76 The Narrows Bar LLC d/b/a The Narrows Bar, 148 S. Franklin Street, Juneau, AK 99801

License # 644 Wolfpack Ventrues, LLC d/b/a Salt Alaska, 200 Seward Street, Juneau, AK 99801

License #2844 The Sandbar Inc. d/b/a The Sandbar, 2525 Industrial Blvd., Juneau, AK 99801

Restaurant Eating Place Licenses:
License # 816 El Sombrero Inc. d/b/a El Sombrero Mexican & American Food, 157 S. Franklin Street, Juneau, AK 99801

Staff from the Finance, Fire, Public Works/Utilities, Police, and Community Development departments have reviewed the above list of renewals and recommend the Assembly waive its right to protest these renewals.

The City Manager recommends the Assembly waive its right to protest the above-listed liquor license renewals for the 2017/2018 renewal period.

REMOVED from the Consent Agenda:

b. Aspen Avenue Pavement & Drainage Improvements, CBJ Contract No. BE17-165

Bids were opened on the subject project on March 2, 2017. The initial apparent low bidder was Pacific Coast Paving. The CBJ received a timely letter of protest on March 10, 2017 from SECON. The Purchasing Officer upheld the protest, awarding the bid to SECON on March 31, 2017. The Purchasing Officer deemed Pacific Coast Paving's bid as non-responsible based on Pacific Coast Paving's substantial association with an unqualified entity that is non-compliant with the CBJ's Good Standing requirement. Pacific Coast Paving has filed a protest of that decision. Although there is a protest pending, Engineering requested the award to SECON be approved.

The Manager finds that the award of the contract pending resolution of the protest is in the best interests of the CBJ and adopts as his written findings the memorandum from the Engineering and Public Works Director included in your packet, in accordance with CBJ 53.50.062(f).

The revised bid results are as follows:

Bidders	Base bid	Additive Alternate No. 1	Total bid
SECON	**$826,333.00**	**$603,967.00**	**$1,430,300.00**
Arete Construction Corp	$945,675.00	$653,214.00	$1,598,889.00
Glacier State Contractors	$1,117,258.00	$804,251.00	$1,797,051.00
Admiralty Construction	$1,061,183.00	$735,868.00	$1,921,509.00
Engineers Estimate	$913,140.00	$656,194.00	$1,569,334.00

The City Manager recommends award of this project to SECON for the Base Bid and Additive Alternate No. 1 in the amount of $1,430,300.

Mr. Jones asked about the status of the protest of the bid award and the ability of the Assembly to award the bid.

Mr. Watt said Mr. Smith and Mr. Healy of the Engineering and Public Works Department provided a memo which details that there is a compelling interest to complete the work now to get the improvements done for the public. Delaying the award for a bid protest would drive the project to incompletion this year and/or could incur additional costs. The apparent low bidder on opening day was in arrears with their accounts with CBJ and were found to be not in good standing. They have cured that problem but not within the appropriate time frame.

Ms. Mead explained that bid protests are not appealable to the Assembly and the Assembly does not sit in its quasi-judicial capacity when contemplating contract awards. A protest of a bid is made to the Purchasing Officer, the protest and the Purchasing Officer's recommendation are forwarded to Bidding Review Board for recommendation to the Manager or Assembly, depending on the amount of the contract. If the Bidding Review Board was to uphold a protest after the manager recommended award under the best interest finding and the contract had been awarded, the Bidding Review Board could recommend to the Assembly (or manager depending on the amount of the contract) that the protestor be paid its bid preparation costs, which the Assembly could in its discretion approve.

MOTION, by Jones, to approve the bid award for BE17-165 Aspen Avenue paving and drainage improvements to SECON for the Base Bid and Additive Alternate No. 1 in the amount of $1,430,300. Hearing no objection, it was so ordered.

VIIIPUBLIC HEARING

A. Ordinance 2016-09(AK) An Ordinance Transferring $2,760 to the Jensen-Olson

Arboretum Endowment Fund, Funding Provided by Unexpended Capital Project Funds from the Closure of the Jensen-Olson Arboretum Capital Improvement Project P42-075.

This ordinance would close one Capital Improvement Project (CIP P42-075) and return funds totaling $2,759.88 to the original funding source, the Jensen-Olson Arboretum Endowment Fund.

The Jensen-Olson Arboretum Advisory Board approved this request at its February 8, 2017, meeting.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gregory, to adopt Ordinance 2016-09(AK). Hearing no objection, it was so ordered.

B. Ordinance 2016-09(AL) An Ordinance Appropriating to the Manager the Sum of $120,000 as Funding for the Relocation of the Gruening Park Sewer Pump Station Generator Building in the Glacier Highway Sewer-Anka to Walmart Capital Improvement Project; Funding Provided by Alaska Department of Transportation and Public Facilities.

The Alaska Department of Transportation and Public Facilities (ADOT) has requested the CBJ relocate the generator building as it is in the way of their new construction plans for Glacier Highway. This appropriating ordinance provides $120,000 for design, construction estimate and bid document preparation. Funding for construction and associated work will be provided by ADOT upon completion of the design and construction cost estimate.

The Public Works and Facilities Committee heard this issue and reviewed project timelines at its March 20, 2017, meeting and forwarded this ordinance to the full Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Weldon, to adopt Ordinance 2016-09(AL). Hearing no objection, it was so ordered.

C. Ordinance 2016-09(AM) An Ordinance Appropriating to the Manager the Sum of $700,000 as Funding for the Juneau Housing First Collaborative (JHFC) Capital Project, Funding Provided by the Sales Tax Fund's Fund Balance.

In January, 2016, the Assembly approved Ordinance 2015-20(Z) providing $1.8 million in "bridge funding" to Juneau Housing First Collaborative (JHFC), for construction of the Housing First facility. The bridge funding had the potential to become a permanent increase in funding, provided by the CBJ to the JHFC project, if other planned fundraising sources did not work out.

Construction of the JHFC is nearly done and tracking towards opening in July, 2017. The total estimated cost for design, construction (including change orders) and administration is projected to be $7.6 million. Total construction costs are $6.7 million (which includes a health clinic). To date JHFC has collected or has committed funding of $6.4 million, including a $1.5 million grant from CBJ. There remains a current funding shortfall of $1.2 million. At this point JHFC has no additional sources of funding they are highly confident are available.

JHFC is requesting that $1.2 million of the bridge financing be converted to an increased CBJ grant. On June 30, 2016, the CBJ Finance Department encumbered $500,000 of the original financing (estimating a potential future request) and reduced available fund balance. To provide the total increased grant of $1.2 million this ordinance for a $700,000 FY17 supplemental appropriation is needed.

The Assembly Finance Committee reviewed this request at its April 5, 2017, meeting and forwarded it to the Assembly for approval.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by White, to adopt Ordinance 2016-09(AM). Hearing no objection, it was so ordered.

D. Ordinance 2016-09(AN) An Ordinance Appropriating to the Manager the Sum of $125,000 as Funding for the Treadwell Mine Park Preservation, Office Building Rehab, Phase 2, Capital Improvement Project; Funding Provided through a Grant from the Rasmuson Foundation.

The request is to approve the $125,000 grant for the purpose of rehabilitation of the "New Office Building" at the Treadwell Historic Park. CBJ Parks and Recreation is working with the Treadwell Historic Preservation and Restoration Society to rehabilitate the "New Office Building" into an open air shelter for public use.

The Parks and Recreations Advisory Committee recommended approval of this ordinance at its regular public meeting on April 4, 2017. The Assembly Public Works and Facilities Committee recommended approval of this ordinance at its regular public meeting on April 10, 2017.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Gladziszewski, to adopt Ordinance 2016-09(AN). Hearing no objection, it was so ordered.

E. Ordinance 2017-08 - An Ordinance Amending the Penal Code Relating to the Discharge of Firearms in the Mendenhall Wetlands.

At its meeting on February 13, 2017, the Assembly directed an ordinance be drafted to amend City and Borough code to allow for shotgun use on accreted parcels formerly part of the Mendenhall State Game Refuge.

This ordinance amends the City and Borough of Juneau's penal code in accordance with the Assembly's direction.

The City Manager recommends this ordinance be adopted.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to adopt Ordinance 2017-08.

Ms. Mead distributed a proposed amendment in response to an email from the Airport Manager, who explained that some of the accreted land subject to this ordinance, that is in transition from state ownership to city ownership, is on airport property where discharge of firearms is not allowed. This amendment proposed a protection of the airport's interests on that subject.

MOTION, by Kiehl, to amend Ordinance 2017-08, on line 19, to add the words " except that, unless otherwise prohibited by state or federal law,…" Hearing no objection, it was so ordered.

Mr. Jones referred to public testimony about the concern of people with accreted land that is now private property within the Wetland Game Refuge and are concerned about the proximately of hunting near their homes. He asked about the process of posting the property as off-limits to shooting.

Ms. Mead said that they would need to give reasonable notice to state that hunting in not allowed on private property, and there was no set way to do that. Mr. Jones said it would be difficult to identify the property and asked if the onus would be on the private property owner. Ms. Mead said accreted property does not retain its state wetlands refuge status when it

becomes private property and there is no set way to post it but they could post their property lines. Mr. Jones said if the land is private, does the state need to resurvey the wetlands game refuge to identify that this land is no longer in the wetlands. Ms. Mead said the accretion is done through a survey of the land and a quiet title action. Mr. Jones said with old maps, people may not know the change. Ms. Mead said there are quiet title actions to beachfront properties and the state does not re-stake property lines or post boundaries - it is up to the private property owner to post the property.

Mr. Kiehl said it is the responsibility of the hunter to know the land use status of where they are going to hunt. The Mendenhall Wetlands state game refuge is well known and there are maps posted at the access points. There is the potential for some confusion about where it is legal to use a shotgun to pursue waterfowl. This ordinance matches the state and local laws. If people do not want hunters on their land they can post the property, just as they can today. This ordinance does not change private property rights or the responsibilities of hunters. This ordinance makes it legal to shoot in the former boundaries of a refuge that was created exactly for that purpose.

Hearing no objection, Ordinance 2017-08 was adopted as amended.

F. Ordinance 2017-10 - An Ordinance Authorizing the Sale of Foreclosed Property Located at 15860 Glacier Highway by Public Auction.

This ordinance address the final step in the foreclosure process of real property located at 15860 Glacier Highway. The back property taxes owed on the property total $16,356.10 and are from tax years 2014, 2015, and 2016.

State law provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold. This ordinance would establish that the property is not needed for a public purpose, and authorizes the manager to dispose of it by public outcry auction held in accordance with CBJ 53.09.230.

The City Manager recommends this ordinance be adopted.

This ordinance was removed from the agenda and set for public hearing at the next regular Assembly meeting on May 15, 2017.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

A. Authorization for the Manager to Enter into a Fair Market Value Negotiated Sale of City property from USS 3559 Lot 2.

The Lands Office received an application to purchase approximately 14,000 square feet of City property on each side of the applicants' existing lot located at 11259 North Douglas Highway. The applicants' legally non-confirming 14,000 square foot lot does not meet the minimum dimensional standards for a lot located in a rural reserve zoning district. The applicants would like to purchase adjacent City property to increase their current lot size. The Lands Committee encouraged the applicants to purchase additional

property so that their lot would conform with the area's rural reserve zoning designation, which requires lots to be a minimum of 36,000 square feet and 150 feet in depth.
On April 10, 2017, the Assembly Lands Committee adopted a unanimous motion of support to the Assembly for a Fair Market Value Negotiated Sale ranging from approximately 14,000 to 22,000 square feet of City property from USS 3559 Lot 2 (CBJ LND-1421) to the original applicants. The applicants indicated they would purchase as much property as they could afford but were unable to commit to purchasing 22,000 square feet until a sale price was established.
As established in CBJ 53.09.260(a) staff recommends that this proposal be pursued by direct negotiation with the original proposers because this land sale would not create new lots, only add to an existing lot.

The Manager requests a motion of support to enter into direct negotiations for the disposal of approximately 14,000 to 22,000 square feet of City property from USS 3559 Lot 2.

Public Comment:

None.

Assembly Action:

MOTION, by Becker, to authorize the manager to enter into direct negotiations for the disposal of approximately 14,000 to 22,000 square feet of City property from USS 3559 Lot 2. Hearing no objection, it was so ordered.

XI. STAFF REPORTS

A. Auke Bay Marine Station

Mr. Watt said CBJ and UAS are extremely close to an agreement regarding the Auke Bay Marine Station. This agreement will share the parcel by subdivision, allowing the UAS to obtain the lab building and surrounding land and the Docks and Harbors Department to use the remaining land. The cost of the subdivision will be shared, and will include a driveway onto the property for the lab use. The federal government currently owns and will dispose through the Department of Education and the Maritime Department, and this all needs to be done in conformance with the CBJ land use code. CBJ's cost will be $250,000, which will cover the survey, the driveway, and removal of several small outbuildings. An appropriation request will come before the Assembly. This agreement has taken time and ultimately, both parties have cared for the details to allow for maximum public benefit. The Federal government criteria for disposal is "in the best interest of the United States." He said that criteria is met.

Mr. Jones said DOT is working to straighten the curve in the road in that area and he asked if the driveway configuration with two driveways would be allowed. Mr. Watt said the highway will move uphill and the old highway will become a frontage road for this property and the Anderson Building, and will match the DOT construction plans. Nothing in this agreement changes the DOT plans.

B. CCTHIA Fee to Trust

Ms. Mead said CBJ now has maps of all of the parcels proposed to be included in a Fee to Trust Program with the Bureau of Indian Affairs. The Assembly has until May 5 to comment. The state has asked Ms. Mead for the Assembly's position and replied that the Assembly had not had time for review. The state proposed requesting a joint extension of time. At close of business today she received a jurisdictional agreement outlining the parameters of the CBJ services that would be involved with trust lands. She recommend requesting an extension of at least 30 days from May 5.

Mr. Nankervis asked if all of the paperwork has been received. Ms. Mead said CBJ has the applications and the beginning of a jurisdictional agreement. Mr. Nankervis asked if 30 days was sufficient. Ms. Mead said it depended on the number of Assembly meetings and the time it would take for the Assembly to understand the situation and be ready to take a position. She did not know if any time beyond 30 days was available, despite the work, as this has to go through CCTHIA governing body as well. Hearing no objection, the Assembly directed Ms. Mead to seek the longest extension possible.

C. Twin Lakes Playground Fire

Ms. Cosgrove said that project playground has gone up in flames this evening and most of it has burned to the ground. The fire is out. The fire marshal is on scene to try to determine the cause. The risk manager will reach out to the insurance brokers first thing in the morning. She believes the playground is the city's property and responsibility after accepting the improvements from the community. There are multiple "go fund me" accounts being started and it is premature to say where the best place would be to donate funds. None of the funds were started by CBJ. As far as she knows, there were no injuries. She was unsure of the extent of the ultimate damage.

XII. ASSEMBLY REPORTS

A. Mayor's Report

Mayor Koelsch said that in the morning he had provided welcoming remarks to 40 state arson investigators who were meeting in Juneau. He also welcomed the 82nd Tlingit and Haida Convention, and attended the Tlingit and Haida Heroes Award Banquet. He asked people to send thoughts and prayers to former Mayor Merrill Sanford in Seattle for medical attention and reported to be in stable condition.

Mayor Koelsch congratulated Mr. Watt on his one year anniversary and said it was time for his annual evaluation.

B. Committee and Liaison Reports

Eaglecrest Board: Liaison Gregory attended the recent meeting at which the board discussed beer and wine issues, and a potential ordinance to go before the Assembly soon. Nate Abbott has drawings for the Black Bear lift electrification, the only lift left on diesel. They are also looking at alternatives for power outages. The Eaglecrest Trail Advisory Committee is meeting and looking at ways to improve and maximize use, market and insure the trails. There

is an ongoing project to overhaul the Treadwell Ditch Trail from Eaglecrest to Blueberry Hills estimated at $600,000 cost. There are 4 applicants for the manager position. The Alaska Zipline Adventure group rents office space at Eaglecrest and this is the zipline's 12th season without injury and their numbers are increasing. The Board is discussing a multi-facility pass with other P&R operations. The Nordic Ski Club is looking at collaborating with Eaglecrest to bring more people to the mountain.

Affordable Housing Commission: Liaison Gregory said the group is looking at potential code efficiencies that can incentivize housing. Committees are looking at future mobile home parks, a blighted property ordinance, and a balance between code violations and non-conforming issues. The Chief Housing Officer is tracking data Craig's list and MLS data on housing availability.

Juneau Economic Development Council: Liaison Weldon said the Maritime Festival will be held on May 6 from 11 am - 5 pm at the Alaska Steamship Dock, with a "Port to Starboard" progressive dinner as an event fundraiser. JEDC will host the STEM summer camp and information can be found on their website. JEDC disbursed a loan to the Amalga Distillery from its revolving load fund. The next meeting is set for May 3.

School Board: Liaison Weldon said the board met April 11 and approved the Juneau Community Charter School annual contract for F&18 and awarded the student transportation contract for FY19 - FY26 to First Student bus company. They approved a revision to the student activities program to lift the ban on middle school athletic travel. They approved a policy to establish closed campuses for grades K-8, and a policy to allow temporary memorials on school property. The next meeting is set for May 9.

Aquatics Board: Liaison White said the board is continuing to identify efficiencies and the pool cover for Augustus Brown pool is on order.

Planning Commission: Liaison White said the next meetings are set for April 25, then May 9.

Lands and Resources Committee: Chair White said the next meeting is set for May 1.

Travel Juneau: Liaison White said the Travel Fair on April 15 was a success, JCVB bosts the largest corps of visitor bureau volunteers in the nation, and the board received a report on convention sales and in FY14 there were 10,883 bed nights related to conventions and in FY17 there were 16,169 scheduled bed nights for an estimated economic benefit of $4,083,281.

Parks and Recreation Advisory Committee: Liaison Gladziszewski said the PRAC met on April 4 and discussed a Rasmussen grant for the Treadwell Office Building, a proposal from Juneau Community Foundation to improve the Treadwell ditch trail, and the next meeting is set for May 2.

Juneau Commission on Sustainability: Liaison Gladziszewski said JCOS met and discussed participation in the Renewable Juneau Fair on April 22. On April 26 there will be a lecture on food security at the UAS Glacier View Room at 7 pm and on April 27, there will be a discussion on "The City we Need, the City we Want" in the Assembly Chambers. The next

meeting is set for May 10.

Bartlett Regional Hospital Board: Liaison Gladziszewski said the board has not met since the last Assembly meeting but did have a service award ceremony on Saturday, April 22. The next meeting is set for April 25.

Human Resources Committee: Chair Jones said the full Assembly met as the HRC met and held interviews for the Airport Board. Hearing no objection, Dennis Harris was reappointed to a term ending June 30, 2020 and Dennis Bedford was appointed to a term ending June 30, 2017, to fill the seat vacated by Mal Menzies, and a subsequent term ending June 30, 2020.

Hearing no objection, the Assembly appointed Teri Tibbets to the Douglas Advisory Board with a term ending September 30, 2018.

The HRC discussed the Friends of the Flag group and its activities. Chair Jones is meeting with Ms. Mead regarding the Eaglecrest ordinance regarding alcohol sales and the plan is to present information to the Committee of the Whole.

Airport Board: Liaison Jones said the board met and discussed property adjacent to the Honsinger Pond area and are working on options for land swaps. They are working with the Lands Division to seek access to Maplesden Road. The next meeting is set for May 9.

Local Emergency Planning Committee: Liaison Jones said the next meeting is set for May 10.

Downtown Business Association: Liaison Jones said the next meeting is set for May 10. He will be attending the Main Street Conference during their meeting on behalf of the DBA.

Finance Committee: Chair Kiehl said the committee has reviewed the manager's budget, met with school district and all empowered boards and will meet with the Bartlett Regional Hospital at the next meeting. The committee is looking at proposed budget reductions from the manager and will get more details. The next meeting is set for April 26, following a special Assembly meeting starting at 5 pm for public hearings on the CBJ general budget, school budget, CIP program and mill rate.

Alaska Municipal League: Liaison Kiehl said the AML board will meet on May 2 and 3 in Anchorage. He will attend by teleconference for most of that due to work at legislature.

UAS Campus Council: Liaison Kiehl said the next meeting is May 1 and Commencement will be held at the UAS Recreation Center on May 7 at 2 pm.

Public Works and Facilities Committee: Chair Becker said the PWFC met and discussed bid code updates, the LID process, and received an update on the Franklin Street project. The next meeting is set for May 1.

Alaska Committee: Liaison Becker said the Alaska Committee wants to discuss the future of Gavel to Gavel with the Assembly. Theresa Young was appointed to the seat on the board

vacated by Mal Menzies.

Docks and Harbors Board: Liaison Becker said the next meeting is set for April 27.

Committee of the Whole: Chair Nankervis said the COW met on April 10 and discussed the Aquatics Board, housing data, Pederson Hill, fireworks and the economic development plan. The next meeting is set for May 1.

C. Presiding Officer Reports

SEAL Trust v CBJ Assessor: Presiding Officer Kiehl notified the Assembly that it had received a request for reconsideration, a copy of which was distributed to the Assembly in the red folder, and a date/time/place would be set for further discussion.

XIIIASSEMBLY COMMENTS AND QUESTIONS

Mayor Koelsch said he attended the Comic Cartoon Convention and Pat Race should be commended for the gathering of some highly talented people for a convention. He attended a Family Promise meeting, which is an organization working to help families in need of housing.

Mr. Nankervis congratulated Travel Juneau on the increase in convention business in Juneau.

Ms. Becker said she attended the Pillars of America presentation by Brandon Stone, former Assemblymember David Stone's son. She attended the First Lady's Bridge Builders program supporting diversity. She attended the Empty Bowls dinner, which was well attended. She attended a service on April 22 memorializing Kathy Hildre's service to the community. She noted that the Treadwell Committee has given the Assembly a standing invitation to tour the Treadwell area anytime.

Mr. Kiehl said he attended many of those events mentioned and also a fundraiser for Friends of NRA to support firearms education. He attended a Tribal Assembly during the past week. He offered his thoughts and prayers for Mayor Sanford.

Mr. Jones asked and Ms. Becker reported that the next meeting of the Joint CBJ/JSD Facilities Committee would be on June 14 at Noon in the Assembly Chambers.

Mr. Jones said the Friends of the Flag would be installing the flags on April 30. There will be a public meeting on biosolids on April 27. He will be attending the Assembly committee meetings next week by phone and on May 15 he will be attending a Marijuana Control Board meeting and Ms. Weldon will chair the HRC meeting that night.

Ms. Gladziszewski said she attended the Bridge Builder's event and Empty Bowls. She asked about the process for the Mendenhall River School to express their needs and Mr. Watt said the School Board prioritizes is CIP requests and delivers those to the Assembly. He would communicate with the superintendent. She asked about the Seawalk - Gold Creek to the Douglas Bridge. Mr. Watt said he would issue a PSA about the status. There are still pieces to complete and they hope to make some portions of the wooden walk available this summer to the public.

Ms. White said she attended the Pillars talk by Brandon Stone and there were two more programs scheduled in the next two weeks. She noted for the public that the Suicide Hotline number was free and confidential: 1-800-273-TALK. She said suicide is never the answer, she encouraged people considering it to get help now, suicide does not end pain, but it passes the hurt on to family and friends, and they would never be better off without you.

Ms. Weldon said she attended the Travel Fair, the Pillars program, and spent the weekend at the Alaska State Judo competition in Anchorage. Capital City Judo brought home two new black belts and awards.

Mr. Gregory said he was happy to see the completion of the new cruise ship dock and the opening of the seawalk.

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Larry Johanson updated the Assembly on the web streaming of the Assembly meeting and said it was pretty slow. He said it was not costing him much money due to the viewership, and related it to a garden that takes time to grow. He thought the Assembly was entertaining and the beginning ceremonies were interesting to the public. He will continue to film the meetings and would cover the coming public hearing on the budget. People can view the video at www.alaskanews.tv

XV. EXECUTIVE SESSION

A. CBJ v. Gastineau Apartments, LLC, et al

MOTION, by Nankervis, to enter into executive session for the purpose of discussing a matter, the immediate knowledge of which could have an adverse impact on the finances of the CBJ, specifically, the Gastineau Apartments. Hearing no objection, the Assembly entered into executive session at 8:45 p.m.

Upon returning to regular session at 9:40 p.m., Mr. Nankervis noted that the Assembly provided the City Attorney with direction on the CBJ v Gastineau Apartments, LLC et.al. issue.

XVI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 9:41 p.m.

Signed:_____ Signed:_____

Laurie Sica, Municipal Clerk Kendell D. Koelsch, Mayor

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - April 26, 2017

MEETING NO. 2017-09: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:00 p.m. by Mayor Ken Koelsch.

I. CALL TO ORDER / ROLL CALL

Assembly Present: Mary Becker, Maria Gladziszewski, Norton Gregory, Loren Jones, Jesse Kiehl, Ken Koelsch, Jerry Nankervis, Beth Weldon and Debbie White.

Assembly Absent: None.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; Laurie Sica, Municipal Clerk; Beth McEwen, Deputy Clerk; Bob Bartholomew, Finance Director; Sam Muse, Controller; Elisabeth Jensen, Budget Analyst; Rob Steedle, Community Development Director; Robert Barr, Library Director; Jane Lindsey, Museum Director; Roger Healy, Engineering and Public Works Director; Dave Pusich, Recreation Manager; Lindsey Foster, Admin Officer II, P&R; Lauren Verrelli, Admin Asst. II, P&R; Merrill Jensen, Arboretum Manager; Chuck Bill, CEO, Bartlett Regional Hospital; Alan Ulrich, CFO, Mark Miller, Juneau School District Superintendent; David Means, Director, Administrative Services, JSD.

II. AGENDA TOPICS

A. Public Hearing: Ordinance 2017-05 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2017 Based Upon the Proposed Budget for Fiscal Year 2018.

This ordinance establishes the mill rates for property taxes for 2017, which fund a significant portion of the City and Borough of Juneau's FY18 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager's FY18 Revised Budget that will be reviewed by the Assembly Finance Committee. As part of the budget review process, the Assembly Finance Committee will review and recommend, to the Assembly, the final mill levies. The final mill levies must be adopted on or before June 15.

For FY18 both the operating and debt service mill rates remain unchanged. This ordinance proposes a total mill levy of 10.66, the components of which are:

Operation Mill Rate by Service Area	**Millage**

Roaded Service Area	2.30
Fire Service Area	0.36
Areawide	6.60
Operating Total	**9.26**
Debt Service	**1.40**
Total	**10.66**

The City Manager recommends holding the charter required public hearing for this ordinance, followed by referral back to the Assembly Finance Committee for further review.

Public Comment:

None.

Assembly Action:

MOTION, by Kiehl, to refer Ordinance 2017-05, establishing the mill rate for property taxes for 2017, to the Finance Committee. Hearing no objection, it was so ordered.

B. Public Hearing: Ordinance 2017-06 An Ordinance Appropriating Funds from the Treasury for FY18 City and Borough Operations.

This ordinance appropriates $340,503,300 for the City and Borough of Juneau's FY18 operating budget, excluding the School District. It is necessary to appropriate all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves. These transfers account for $96,100,100 of the FY18 operating budget. During the weekly Finance Committee meetings in April and May we will walk through the components of the budget and explain changes from the prior year.

The Charter requires that a public hearing be held on the FY18 operating budget by May 1, 2017, and adoption by June 15, 2017.

The City Manager recommends holding the charter required public hearing for this ordinance, followed by referral back to the Assembly Finance Committee for further review.

Public Comment:

Kim Metcalfe said she was out of town during the priority driven budgeting process. She distributed some illustrations from the book she wrote about the ANB/ANS organization and said her source of photos was the city museum. She asked the Assembly to continue to fund the program.

Albert Judson spoke in support of the value of the city museum. The continuity of history of the native and non-native people in the community was important to protect.

Shonna McMahon spoke in support of the city museum, which encompasses a broad scope of local history and protects important materials. She asked the Assembly to continue funding the museum.

Don Harris spoke about his membership on the Historic Resources Advisory Committee, and work as a volunteer at the city museum and the mining museum. He strongly supported keeping city museum open.

Fumi Matsumoto spoke about the support given by the city museum to the Empty Chair project, which highlighted the internment of Japanese Americans during WWII, and asked the Assembly to continue support of museum operations.

Ross Soboleff spoke in support of the city museum and the work of those who founded the museum collection. He said it is the bedrock of the history of the community.

Katheriyn Cohen said the economic success is reflected in the community's institution and the museum was a sign of the community's pride and progress.

Chuck Cohen said that community members contribute 43% of the funds in the museum budget and encouraged the Assembly to increase the museum's budget.

Jean McBrien said the museum was the community's heirloon and should not be closed.

Zane Jones thanked the Assembly and the Planning Commission for the support of history in the community. Cutting funding would go against years of hard work and cutting museum funding was a short term savings compared to years of work and grants.

Mary Pat Wyatt was the city museum curator and director for 20 years and worked with many people over that time, including people who trusted CBJ by donating their personal objects to the museum. Donations were made to convert the library to the museum, and she would hate to see it lost.

Marie Darlin said she has been a part of the development of the city museum and has lobbied for staffing for years. The history in the museum tells why Juneau is the capital of Alaska and if we want to maintain that status we need to protect our history. She said closing the museum would be difficult. The collection would need to be addressed and the building is on the historic register.

Joel Probst thanked everyone for their presence and support of the museum. He said the museum protects the community's cultures, customs and tradition and he spoke about the many programs offered.

Sharon Denton said she is a volunteer for Travel Juneau and she directs tourists to the city museum, which is one of the most popular places to visit in the community.

Marie Olson said the museum belongs to the people, and many of the artifacts were donated by the people of Juneau. The museum tells our history and should not be closed.

Pat Henry said it blew his mind that the Assembly would even consider closing the museum. It is an important part of the community, a tourist attraction and a source of history. He said he would prefer to increase the mill rate than to see the museum closed.

Mary Irvine said she did not support the priority driven budgeting process and random samples of the community were not a good way to make decisions. The notice of the process was poor. This decision is the work of elected officials. The city museum explores what it means to be a Juneauite in the way that the state museum explains what it means to be an Alaskan. It is more than a tourism attraction. It is an economic engine for the community. There is a public trust in a museum collection that must be observed.

Jack Marshall said he is a history writer who has used the city and state museum to gather information. The museum is the heart of the city. The building is on the national historic register. One of the five first white settlers owned the land that the museum is located upon. Without history, we miss out.

Kim Garnero spoke in support of the Jensen Olson Arboretum and said the property was gifted to CBJ along with an endowment. The CBJ agreed to maintain access, and if the arboretum is closed, it would lose the endowment and it would take 30 years to realize any savings.

Joe Geldhof said he participated in the priority based budgeting process. What was supposed to be a "listening" proces was a "talking at" process. What is not obvious is where we can find efficiencies. This is a management problem and they have not done an adequate job.

Cathy Connor supported the Juneau Icefield program, the Eagle Valley Center, the museum and the arboretum. She spoke about the collaborative work happening at the Eagle Valley Center with a variety of non-profit programs using the facility.

Richard Carstenson spoke in support of the Eagle Valley Center, which is focused on youth. He is a naturalist and he works to understand the wild places and how people fit in. The meadow behind the Eagle Center is one of the two most vital places for wildlife in Juneau, the other is Cowee Meadows.

Sean Eisele, Director of Discovery Southeast, said his program works with the Eagle Valley Center, the arboretum and the museum, all subject to potential cuts, to which he objected. He spoke about the importance of all of the programs.

Joe Parrish supported the Eagle Valley Center and asked the Assembly to give the center a chance to see how they can develop programs that will break even. He ran a non-profit organization that ran programs at the center and he spoke about the unique niche environmentally and socially, which complemented all the programs in the area. They are

on the road to self-sustaining operations and the programs have had a direct benefit to youth.

The following people signed a statement of support for keeping the museum open: Brian Weed, Morgan Davis, Jean Henry, Lydia Mills, Megan Eagle, Carol Scafturon, Heather McClain, Jennifer Treadway, Cathy Connor, Hetty Barthel, Jodi DeBruyne, Marcia Phillips, Coladi Kurl, Liz Brooks and Bridget Smith.

The following people signed a statement of support for keeping the Jensen Olson Arboretum open: Morgan Davis, Jean Henry, and Cathy Connor.

Mayor Koelsch said he and the Assembly appreciated the citizen participation and information.

Assembly Action:

MOTION, by Kiehl, to refer Ord 2017-06 to the Finance Committee for further review. Hearing no objection, it was so ordered.

C. Public Hearing: Ordinance 2017-07 An Ordinance Appropriating Funds from the Treasury for FY18 School District Operations.

This ordinance will appropriate to the School District an FY18 operating budget of $87,267,200. This is an overall increase in the budget of $1.70 million from the FY17 Amended Budget. The School District's operating budget is:

· General Operations	$72,020,700
· Special Revenue (pupil transportation, food service, etc)	7,164,400
· Other	8,082,100
Total Budget	$87,267,200

The FY18 school budget is supported with a combination of funding sources that includes local funding of $26,935,900. This consists of: $26,010,200 for general operations, $925,700 programs and activities outside of the CAP. These programs and activities include: $740,700 for student activities, $50,000 for pupil transportation, $40,000 for food service and $95,000 for Community Schools. The $26 million in general operations support is an increase of $1 million over FY17. The other program and activities funding is unchanged.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. The district's budget was submitted March 30, 2017. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding CAP, but it can be increased. If the Assembly does not set the amount

and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2017.

At this meeting, the Assembly needs to state, by motion, the amount of local funding to be provided to the School District.

The Manager recommends holding the charter required public hearing for this ordinance, followed by a motion to set the amount of local funding to be provided to the School District and then to refer the ordinance back to the Assembly Finance Committee for additional review.

Public Comment:

Brenda Taylor said she is a parent, a volunteer in the schools and on a site council, and supports the highest level of funding possible for the school district. The new science curriculum is exciting and involves local scientists. The excitement among the teachers about this new program is heartening.

Representative Justin Parrish thanked the Assembly for the support of the school district and said he is working to ensure the state honors its responsibilities to youth and education. He urged generous support of the school district as the best investment that can be made.

Brian Holst signed a statement of support for full funding of schools.

Assembly Action:

MOTION, by Kiehl, to set the amount of local funding to the school district at $26,935,900 and to refer the ordinance to the Finance Committee, leaving $213,000 of items on the pending list.

Mr. Jones asked if the Assembly needed to separate the motion to reflect the funding inside the cap and the funding outside of the cap.

Mr. Bartholomew said in Ordinance 2017-07 shows that the funding for the school district is broken out between operational funding (i.e. "cap funding") and money for special revenue programs and student activities that totals $925,700, which would be the remaining of the funding. There is a state maximum that can be spent on general education and that is the number reflected for operations in the ordinance.

Ms. Mead said she did not see Mr. Kiehl's motion as different from the ordinance presented.

Mr. Nankervis objected on process and principal. He is not averse to funding to the cap and beyond. His concern is that this amount can not subsequently be reduced, we are setting this aside now when we do not know if we will be able to do this - it feels premature. We do not have all the cards and we should not go "all in." We are not able to lower this number

later when we find out what happens with the state budget.

Mr. Kiehl said the charter anticipates that the Assembly makes the commitment to the school district before we are done with the budget. He is comfortable in making the commitment to the schools now.

Ms. Gladziszewski agreed with Mr. Nankervis and said there is time to review this matter.

Ms. Mead said Section 13.6 of the Charter required the Assembly to provide the School District with a number within 30 days of submission of its budget or the Assembly provides the number requested by the school district.

Mr. Bartholomew said that the School District provided its budget to the Assembly on March 30, and the Assembly had until April 30 to set a minimum amount. Ms. Gladziszewski noted the deadline.

Roll call:
Aye: Becker, Gregory, Jones, Kiehl, Koelsch
Nay: Gladziszewski, Nankervis, Weldon, White
Motion passed, 5 ayes, 4 nays.

D. Public Hearing: Resolution 2791(b) A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2018 Through 2023, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2018.

This resolution would adopt the Capital Improvement Program (CIP) for fiscal years 2018 through 2023, as required by Charter Section 9.4, and lists the capital projects that will be undertaken in FY 2018.

The Public Works and Facilities Committee (PWFC) reviewed the CIP at its meeting on February 27, 2017, and forwarded the plan to the Assembly.

The City Manager recommends holding the charter required public hearing for this resolution, followed by referral back to the Assembly Finance Committee for further review.

Public Comment:

Dennis Harris said that the lower end of Capital Avenue keeps getting pushed lower on the CIP list and it gets a lot of traffic. Between 9th and Willoughby, the street is in horrible shape. It has constant potholes and repairs. There is survey issues, but it needs to be on the list for this year or next year. A traffic count will show the use of the street. Right of Way will be needed, negotiations with the BIA, and some property may be needed to be taken. He asked the Assembly to give the project a higher priority.

Assembly Action:

MOTION, by Kiehl, to refer Resolution 2791b to the Finance Committee for further review. Hearing no objection, it was so ordered.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Don Habeger spoke about a business he is developing and his experience with the Sales Tax Division.

IV. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 7:05 p.m.

Signed:_____ Laurie Sica, Municipal Clerk

Signed:_____ Kendell D. Koelsch, Mayor

SPECIAL ASSEMBLY MEETING
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - May 3, 2017

MEETING NO. 2017-10: The Special Meeting of the City and Borough of Juneau Assembly, held in the Assembly Chambers of the Municipal Building, was called to order at 5:15 p.m. by Mayor Ken Koelsch.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Mary Becker, Maria Gladziszewski, Loren Jones (teleconference), Jesse Kiehl, Ken Koelsch, Jerry Nankervis, and Beth Weldon.

Assemblymembers Excused: Norton Gregory and Debbie White.

Staff Present: Rorie Watt, City Manager; Mila Cosgrove, Deputy City Manager; Amy Mead, Municipal Attorney; and Elisabeth Jensen, Budget Analyst.

II. AGENDA TOPICS

Mayor Koelsch gave notice of a change to the May 15, 2017 Regular Assembly meeting to start at 5 p.m. instead of the regular start time at 7 p.m. in order to attend a community gathering for the Project Playground. He said he had contacted Chair Jones of the Human Resources Committee to discuss rescheduling. Hearing no objection, it was so ordered.

A. Assessor's Request for Reconsideration in the SEAL Trust Tax Appeal

MOTION, by Kiehl, to grant the request for reconsideration of the decision on appeal.

Mr. Kiehl said objected to the motion. He said issues on this appeal turn first on the Assessor and the appellants legal theories about what should be exempt. Each party proceeded through the evidentiary process based upon legal theories and the decision adopted said that both of those legal theories had errors and this issue was appropriate for a remand under the code. He requested a no vote on the request for reconsideration.

Roll call:
Aye: Koelsch
Nay: Becker, Gladziszewski, Jones, Kiehl, Nankervis, WeldonMotion failed: 1 aye, 6 nay.

Mr. Nankervis thanked Presiding Officer Kiehl and the CBJ Law Department for the work on this matter.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

IV. EXECUTIVE SESSION

None.

V. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 5:20p.m.

Signed:_____ Signed:_____

Laurie Sica, Municipal Clerk Kendell D. Koelsch, Mayor

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-01

An Ordinance Amending the Building Regulations Code.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. The following sections of Chapter 19.01 Administrative Code, are amended to read:

19.01.105.1.5 Fire code permits required.

No person shall engage in the maintenance, storage, use or handling of any of the following materials or activities in the City and Borough or cause the same to be done without first obtaining a separate permit as specified in IFC Section 105, Permits, from the fire chief; provided, the fire chief may issue a single permit for a group of activities at a single location. Note that not all of the permits identified in IFC 105.6 and IFC 105.7 are required.

. . .

19.01.105.1.5.11 Flammable and combustible liquids shall be subject to the permit requirements of IFC Section 105.7.7~~105.7.6~~, items 1 and 2 when modifying a pipeline, tank, tank vehicle, or other flammable or combustible liquids equipment.

. . .

19.01.105.2.1 Exempt building work.

A building permit shall not be required for the work described in subsections 1 through 15 of this section if only the provisions of the exempted code apply. Unless otherwise exempted, a permit shall be obtained for work associated with the exempt uses under subsections 1

through 15 of this section if any of the provisions of the plumbing, electrical, mechanical or fire codes apply:

1. One-story detached accessory buildings regulated under the residential code and used as tool and storage sheds, greenhouses, gazebos, saunas, hot tub enclosures, playhouses and similar uses, provided the floor area does not exceed 200~~120~~ square feet (18.58 m) ~~11.15 m~~ the building is not used for habitation, and no utilities are provided;

2. Fences as well as sign support structures and similar free-standing structures not over seven feet ~~six feet~~ (2134 mm ~~1,829 mm~~) high other than fences required for protection of swimming pools and hot tubs which are regulated by IRC Appendix AG105 or IBC Section 3109;

. . .

11. Swings, and other playground equipment except as required under IBC 424 ~~IBC 402.11~~;

. . .

16. Temporary event booths in place for no more than 72 hours, for the sole purpose of a sale or event and no utilities provided. (Fire Permits are still required.)

19.01.105.2.7.1 Ordinary maintenance and replacement work.

Permits shall not be required and shall not be issued for ordinary maintenance, repair or direct replacement work in a building or structure for work of a value of $15,000.00 ~~$7,500.00~~ or less unless 1. electrical service equipment or electrical circuits are replaced or modified or 2. the structural system is modified or 3. the means of egress is altered or 4. Fuel appliances are replaced or installed. Individual structural elements may be directly replaced without a permit, however, replacement of structures requires a permit.

Permits may be issued for major remodels and/or renovation work that includes exempt finish work listed under 19.01.105.2.1 Exempt building work, item 7, if the work also includes other non-exempt work, and the valuation of all the work is greater than$100,000.00. ~~$50,000.00~~

. . .

19.01.108.2 Schedule of building permit fees.

The fee for each building permit shall be as set forth in section 19.01.108.8.

The fees for temporary structures will be based on the valuation of single wide pre-manufactured buildings.

19.01.108.3 Building permit valuations.

. . .

The building official may use the building valuation data provided by the model building code agency to assist in determining the value of the construction for which a permit is sought. The floor area used in conjunction with building valuation data shall mean the total area of all floors, measured from the interior ~~exterior~~ face, interior ~~outside~~ dimensions or interior ~~exterior~~ column line of a building, including basements, mezzanines and balconies, but not including unexcavated areas. The valuation shall be based on the highest type of construction to which the proposed structure most nearly conforms, as determined by the building official.

. . .

19.01.202 Definitions.

. . .

Cabin means a structure which is inhabited only occasionally for noncommercial hunting, fishing, or other recreational purposes, is without available public utility services, and is located outside of the urban service area ~~Service Area 9~~.

. . .

Section 3. Amendment of Chapter. The following sections of Chapter 19.03 Building Code, are amended to read:

19.03.010 International Building Code (IBC) adopted.

For the purpose of regulating the erection, site construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures or portions thereof in the City and Borough, there

is adopted by reference, as the building code of the City and Borough, that certain compilation of rules and regulations prepared by the International Code Council, a nationally recognized technical trade organization, which compilation is entitled "International Building Code, 2012 ~~2009~~ Edition," (IBC) and one copy which has been filed in the office of the municipal clerk of the City and Borough, or places designated by the municipal clerk for public use, inspection and examination, and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

19.03.305.2 Day care.

At the end of the paragraph, add ~~*Insert* the words~~ "including children related to the staff," ~~between the words "age," and "shall" and add the following exception.~~

~~"Exception. Family child care homes (R-3) operating between the hours of 6:00 a.m. and 10:00 p.m. *may* accommodate a total of 12 children of any age without conforming to the requirements of this regulation (E occupancy) except for smoke detectors and alarms as described in Subsection 907.2.11, carbon monoxide detectors and alarms as specified in 19.03.422, means of egress requirements of Section 1003, including emergency escape and rescue openings as required by Section 1029, in napping or sleeping rooms, and fire extinguisher requirements as described in the International Fire Code." (SFM)~~

19.03.308.3~~19.03.308.2~~ Group I-1.

Add a new paragraph between the first and second paragraphs to read:

"Facilities within this occupancy classification that have occupants needing physical assistance to respond in emergency situations must comply with 19.03.426." (SFM)

19.03.308.4 ~~19.03.308.3~~ Group I-2.

Change the last sentence to read:

"A facility such as the above with five or fewer persons, including persons related to the staff, shall be classified as a Group R-3" (SFM)

19.03.308.4.1 ~~19.03.308.3.1~~ Child care facility.

Revise to read:

"A child care facility that provides care on a 24-hour basis to more than five children two and one-half years of age or less, including children related to the staff, shall be classified as Group I-2." (SFM)

19.03.308.6 ~~19.03.308.5~~ Group I-4; day care facilities.

Amend the second sentence to read:

"A facility such as the above with five or fewer persons, including persons related to the staff, shall be classified as a Group R-3." (SFM)

19.03.308.6.1 ~~19.03.308.5.1~~ Adult care facility.

Delete the exception. (SFM)

19.03.310.1 Residential Group R.

Add the following after the first sentence:

"For facilities within this occupancy classification that have occupants needing physical assistance to respond in emergency situations, see Section 19.03.427 ~~19.03.426~~." (SFM)

19.03.310.5 ~~19.03.310.1~~ Residential Group: R-3.

Add the following paragraph to the end of this section:

"Owner occupied bed and breakfast facilities or boarding houses that are within a single-family home and do not contain more than five guest rooms are permitted to comply with the International Residential Code in accordance with CBJ 19.01.101.4.2."

19.03.310.6 ~~19.03.310.1~~ Residential group R; R-4.

Add a sentence to the end of the first paragraph to read as follows:

"Foster Homes: Once a provider take in six or more (non-related) children, the occupancy is defined as an R-4, otherwise the occupancy if R-3." (SFM)

19.03.406.3.4 ~~19.03.406.1.4~~ Motor-vehicle-related occupancies; private garages and carports; separation.

Revise paragraph 1 by deleting the words "½ inch (12.7 mm) gypsum board " and replacing it with " 5/8 inch (15.88 mm) Type X gypsum board". (SFM)

19.03.425 ~~19.03.424~~ Special security requirements for elevated buildings.

Add a new section to read as follows:

"All elevated buildings with the lower floor level above grade and open on the sides must be fenced around the building exterior or have skirting below the exterior walls to prevent unauthorized access, if the building is higher than two foot to the underside of floor framing.

Exceptions:

1. Normally unoccupied buildings;

2. Buildings with F, H, S, and U occupancies."

3. All occupancies within an industrial area that is secured and there is no public access. (SFM)

19.03.426 ~~19.03.425~~ Carbon monoxide detectors and alarms.

Add a new section to read as follows:

426.1 ~~*425.1*~~ *Carbon Monoxide Detectors and Alarms.* The provisions of this section shall apply to Groups I-1, I-2, and all R occupancies. At least one carbon monoxide detector or alarm shall be installed on each floor level. If a floor level contains bedrooms or sleeping rooms, at least one detector shall be located in the immediate vicinity of the sleeping area, outside of the bedrooms or sleeping rooms. Carbon monoxide detectors and alarms

shall be installed in accordance with their listing. The alarm shall be clearly audible in all sleeping rooms, even if the intervening doors are closed.

Exceptions:

1. Carbon monoxide detectors and alarms are not required in dwelling units and structures that have all of the following

   A. no combustion appliances

   B. no attached garage, and

   C. no vehicle parking within 25 feet of any direct air intake opening.

2. Carbon monoxide detectors and alarms are not required if all combustion equipment is located within a mechanical room separated from the rest of the building by construction capable of resisting the passage of smoke. If the structure has an attached and enclosed parking garage, the garage shall be ventilated by an approved automatic carbon monoxide exhaust system designed in accordance with the 2012 ~~2009~~ I.M.C.

426.2 ~~*425.2*~~ *Interconnection.* In new construction, all carbon monoxide detectors and alarms located within a single dwelling unit shall be interconnected in such a manner that actuation of one alarm shall activate all of the alarms within the individual dwelling unit.

426.3 ~~*425.3*~~ *Power source.* In new construction, carbon monoxide detectors and alarms shall receive their primary power from the building wiring if the wiring is served from a commercial source, and shall be equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than was is required for overcurrent protection. In existing construction, carbon monoxide detectors and alarms may be powered by battery or a cord-and-plug with battery back-up.

~~19.03.426~~ 19.03.427 Occupants needing physical assistance.

Add ~~a~~ new sections ~~section~~ to read as follows:

427.1 ~~*426.1*~~ Applicability. The provisions of this section apply to all Groups I-1 and R-4 occupancies where the occupants need physical assistance from staff or others to respond to emergencies.

427.2 ~~*426.2*~~ Definitions. In this section:

. . .

427.3 ~~*426.3*~~ *Fire Drills And Evacuation Capability Determination.* The initial determination of evacuation capability will be determined by a fire drill conducted by a fire code official or by an employee of the Department of Health and Social Services responsible for licensing the facility. Changes to the evacuation capability will be made by a fire code official, based on a record of fire drills conducted by the facility staff. The drills will be conducted six times a year on a bimonthly basis, with at least two drills conducted during the night when residents are sleeping. Records must indicate the time taken to reach a point of safety, date and time of the drill, location of simulated fire origin, escape paths used, and comments relating to residents who resisted or failed to participate in the drills.

~~*426.4*~~ *427.4 Evacuation Capability and Fire Protection Requirements.* Fire protection requirements of a facility under this section are as follows:

~~*426.4.1*~~ *427.4.1 Prompt Evacuation Capability.* Evacuation capability of three minutes or less indicates prompt evacuation capability. In facilities maintaining prompt evacuation capability, the requirements of the code for Groups I-1 or R-4 occupancies must be followed.

~~*426.4.2*~~ *427.4.2 Slow Evacuation Capability.* Evacuation capability of more than three but less than 14 minutes indicates slow evacuation capability. In facilities maintaining slow evacuation capability, the facility must be protected by (a) an automatic smoke detection system, using addressable smoke detectors, designed and installed in accordance with the provisions of this code and N.F.P.A. 72-2007; and (b) an automatic sprinkler system, with quick-response or residential sprinklers, installed in accordance with section 903.3.1.2 (N.F.P.A. 13R-2007 "Sprinkler Systems") or 903.3.1.3 "N.F.P.A. 13D-2007 (Sprinkler Systems)".

~~*426.4.3*~~ *427.4.3 Impractical Evacuation Capability.* Evacuation capability of 14 minutes or more indicates impractical evacuation capability. In facilities maintaining impractical evacuation capability, the facility must be protected by (a) the protections for a facility with slow evacuation capability under Section 423.4.2; (b) one-half hour fire-resistive construction throughout the facility; and (c) direct egress from sleeping rooms for occupants needing evacuation assistance either (I) to the exterior at grade level, to an exterior porch or landing via a three feet six inch wide door; or (ii) if the sleeping rooms are separated from the rest of the building by smoke partitions installed in accordance with Section 710, by egress windows conforming to the provisions of Section 1029." (SFM)

19.03.428 ~~**19.03.427**~~ **Unfinished space.**

Add a new section to read as follows:

428.1 ~~*427.1*~~ *Unfinished space.* R occupancies containing unfinished space equal to or greater than 70 square feet accessed by a person-door and/or open doorway, other than garages and crawlspaces, shall be finished to habitable space standards excepting finish materials.

Exceptions:

1. Habitable space elements are not required for spaces accessed only by a 22-inch (559mm) × 30-inch (762mm) access hatch or only by a pull-down attic stair.

2. Habitable space elements are not required if a deed restriction is approved by the building official limiting the uses of the unfinished space to storage only and a copy of that recorded deed restriction is submitted to the building official.

3. Finish material is not exempted where foam products are exposed to the room.

19.03.Table 509 ~~**19.03.Table 508.2.5**~~ **Incidental uses** ~~**accessory occupancies**~~**.**

Revise by changing the wording in the first block under the left column to read:

"Furnace rooms in E, I and R-1, R-2 and R-4 occupancies regardless of Btu input, and furnace rooms of all other occupancies where the largest piece of fuel fired equipment is over 400,000 Btu per hour input." (SFM partial)

19.03.Table 602 Fire-resistance rating requirements for exterior walls based on fire separation distance.

Add footnote i ~~h~~. to read:

Combination shops related to an educational facility shall be considered an F-1 occupancy and shall be separated from the E occupancy according to this table. (SFM)

19.03.718.4.2 ~~**19.03.717.4.2**~~ **Concealed spaces; draft-stopping in attics; Groups R-1 and R-2.**

Add a third ~~second~~ sentence to read as follows:

"The intervening space between any two draft stops or walls shall be designed for adequate cross ventilation in accordance with Section 1203.2." (SFM)

~~Amend Exception 3 to read as follows:~~

~~"3. Draftstopping in attic spaces of Group R-1 and R-2 occupancies that do not exceed four stories in height may be installed so that the area between draft stops that extends from the ceiling to the roof does not exceed 3,000 square feet, and the greatest horizontal dimension does not exceed 60 feet. Such draft stops do not have to be located directly above or in line with walls separating tenant spaces, unless part of construction dictated by other provisions of this code. Adequate cross ventilation shall be provided in accordance with Section 1203.2." (SFM)~~

19.03.903.2.8 Automatic sprinkler systems; Group R.

Delete entire existing section and subsections 903.2.8.1, 903.2.8.2 and 902.2.8.3 and replace with:

"903.2.8 An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout buildings containing Group R occupancies in this section." (SFM)

~~Delete and add the following:~~

~~"Group R. An automatic sprinkler system must be installed in all Group R occupancies except as required in 19.03.903.2.8.1 through 19.03.903.2.8.2" (SFM)~~

19.03.903.2.8.1 Group R-1.~~; Health clinics with transient quarters; rental cabins.~~

Add a new subsection as follows:

"An automatic sprinkler system shall be provided throughout all buildings that contain an R-1 occupancy.

Exceptions:

1. Five or fewer rental cabins.
2. Rental cabins without potable water.
3. Health clinics with transient quarters may utilize an NFPA 13R sprinkler system throughout the building.

4. Health clinics may utilize an NFPA 13D sprinkler system in the sleeping unit only, if the sleeping unit is separated from the building with a two hour fire barrier." (SFM)

~~Health clinics with transient quarters may utilize a 13R sprinkler system throughout the building. A fire barrier may be utilized to separate the building and utilize a 13D. In addition, rental cabins with potable water with stays less than 30 days will be considered R-1 occupancies and will be required to comply with this section.(SFM)~~

19.03.903.2.8.2 Group R-2.

Add a new subsection to read:

An automatic sprinkler system shall be provided throughout all buildings that contain an R-2 occupancy.

Exceptions:

1. Buildings that are no more than two stories in height, including basements and contain four or fewer dwelling units.
2. Buildings that are no more than two stories in height, including basements and contain 16 or fewer sleeping rooms.

For the purpose of this section, fire walls may be used to create up to three separate attached buildings. Any additional buildings must be physically separated in accordance with Table 602. (SFM)

~~"An automatic sprinkler system or a residential sprinkler system installed in accordance with Section 903.3.1.2 must be provided through all buildings with a Group R-2 fire area that are more than two stories in height, including basements, or that have more than four dwelling units or 16 sleeping rooms."(SFM)~~

19.03.903.2.11.1 Automatic sprinkler systems; ~~all occupancies except Groups R-3 and U; stories and basements without openings.~~ Specific building areas and hazards; stories without openings.

In the first sentence, delete the words: "where the floor area exceeds 1,500 square feet (139.4 m^2) and".

19.03.907.2.3 Fire alarm and detection systems; Group E.

Add a second paragraph to read as follows:

"Rooms used for sleeping or napping purposes within a day care use of a Group E occupancy must be provided with smoke alarms that comply with the requirements of section 907.2.11.2." (SFM)

~~Delete exception 3. (SFM)~~

19.03.1009.4 ~~19.03.1009.1~~ Stairways; stairway width.

Add the following exception~~s~~:

~~"5. Ladders used only to attend equipment are exempt from the requirements of section 1009."(SFM)~~

5.~~6.~~ Private Stairways, ~~as defined in 19.03.1002~~ may be 32 inches wide."

19.03.1009.7.2 ~~19.03.1009.4~~ Stairways; stair treads and risers.

Delete Exception 5 and add the following:

5. Private Stairways~~, as defined in 19.03.1002,~~ shall have stair riser heights of eight inches maximum and stair tread depths of nine inches minimum."

19.03.1009.8 ~~19.03.1009.5~~ Stairway landings.

Add the following exception:

"~~3.~~ Landings are not required at the top or bottom of stairways accessing non-habitable building equipment rooms."

19.03.1009.9.1~~19.03.1009.6.1~~ Stairway construction; stairway walking surface.

Change the second exception to read as follows:

~~"Exception":~~

In Group R-3 ~~F, H, R-3, S~~ and U occupancies, other than areas of parking structures accessible to the public, openings in treads and landings shall not be prohibited provided a sphere with a diameter of 1 1/8 inches (29 mm) cannot pass through the opening.

19.03.1009.9.2 ~~19.03.1009.6.2~~ Stairway construction; outdoor conditions.

Add the following sentence:

"In occupancies other than Group R-3 and Group U occupancies that are accessory to Group R-3 occupancies, surfaces and landings which are part of exterior stairs in climates with snow or ice shall be designed to minimize the accumulation of the snow or ice." ~~(SFM)~~

19.03.1010.8.2 ~~19.03.1010.7.2~~ Ramp construction; outdoor conditions.

Add the following sentence:

"In occupancies other than Group R-3 and Group U occupancies that are accessory to Group R-3 occupancies, surfaces and landings that are part of exterior ramps in climates with snow or ice shall be designed to minimize the accumulation of the snow or ice." ~~(SFM)~~

19.03.1015.2.2 Three or more exits or exit access doorways.

Add the following exception:

"Exception: Where access to three or more exits is required, the separation distance of the third exit door or exit access doorway shall not be less than one-third of the length of the maximum overall diagonal dimension of the area served." ~~(SFM)~~

19.03.1018.1 Corridors; construction.

At the end of the paragraph add:

" R ~~R-2~~ occupancies shall be permitted to have a one hour rated corridor without a sprinkler system when the corridor:

~~1. serves any occupant load greater than 10.~~

~~2.~~ 1. serves less than four dwelling units or 16 sleeping rooms; and

~~3.~~ 2. is less than three stories in height.

19.03.1021.2 ~~19.03.1021.1~~ Number of exits and exit configuration; Exits from stories.

Add an exception to read:

Exception 8~~6~~. Basements or the first level below the first story in all occupancies except R-3, used exclusively for the service of the building may have access to only one exit. Any other use of the basement or first level below the first story must have at least two exits arranged in accordance with Section 1015.2. For purposes of this exception, storage rooms, laundry rooms, maintenance offices and similar uses may not be considered as providing service to the building." (SFM)

19.03.1029.1 Emergency escape and rescue; general.

In the second sentence after "...sleeping rooms...", add the following:

"or other habitable room of 70 square feet or more and not used for cooking, eating or living room uses".

and delete exceptions 1 and 3 ~~1, 2, 3, 4, and 7~~ (SFM, deletions only)

19.03.1029.6 Replacement emergency escape and rescue windows.

Add a new subsection and new exceptions as follows:

"1026.6 Replacement emergency escape and rescue windows. Replacement windows for emergency escape and rescue shall meet full egress dimensions per IBC Sections 1029.1 ~~1026.1~~ through 1029.3 ~~1026.3~~ where rough openings allow.

Exceptions:

1. Where the existing rough opening does not allow for full emergency escape and rescue per IBC Sections 1029.1 ~~1026.1~~ through 1029.3~~1026.3~~, replacement windows shall have a minimum opening of 20 inches clear width, 22 inches clear minimum height, four square feet minimum of net opening and a finished sill height of not more than 48 inches to a permanent walkable surface. If the existing rough opening cannot accommodate these dimensions, the rough opening shall be enlarged or a new opening created to allow installation of a full emergency escape and rescue window per IBC Sections 1029.1 ~~1026.1~~ through 1029.3 ~~1026.3~~.

2. Where the rough opening is not required to be enlarged to meet the minimum clear width, height, or area, then the finished sill height restriction may be met with the installation of one or more permanently affixed steps. These steps shall extend the full width of the window and meet the current codes rise/run requirements so the top step is no greater than 44 inches to the top of the sill."

19.03.1607.9.3 ~~19.03.1607.8.3~~ Live loads; Geophysical hazard and snow impact loads.

Add a new subsection as follows:

"1607.9.3 ~~1607.8.3~~ Geophysical hazard and snow impact loads. Impact loads shall be considered in the design and construction of any structure where impact loads may occur such as in moderate and severe geophysical hazard zones referred to in CBJ19.04.301.9 or snow shedding from upper roofs."

19.03.1607.12.2.1 ~~19.03.1607.11.2.1~~ Roof Loads; Ordinary roof, awnings, and canopies. ~~Flat, pitched and curved roofs~~.

Delete the second paragraph. ~~last two sentences beginning with "In structures such as."~~

19.03.1805.1 Dampproofing and waterproofing; general. ~~where required.~~

Delete the first paragraph and add the following:

"1805.1 Where required. Walls or portions thereof that retain earth and enclose interior spaces and floors below grade shall be waterproofed and dampproofed in accordance with this section. All crawlspace walls below exterior grade shall be dampproofed."

19.03.2901.1 Plumbing systems; general; scope.

Delete the section and add the following:

"2901.1 Scope. The provisions of this chapter and the Uniform Plumbing Code adopted at section 19.06.1.010 and section 1210 of the IBC shall govern the installation, alterations, repairs, additions, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and/or appurtenances, and where connected to a water or sewage and all aspects of a medical gas system. All references to the International Plumbing Code shall mean corresponding references in the Uniform Plumbing Code."

19.03.2902.6 ~~19.03.2902.5~~ Plumbing systems; unoccupied storage occupancies.

Add a new section as follows:

~~*2902.5*~~ *"2902.6 Unoccupied storage occupancies.* Plumbing fixtures shall not be required in buildings which are primarily S occupancies where there are no employees and no owner operated business' such as mini-storage units, and private storage condominiums."

19.03.3401.7 ~~19.03.3401.6~~ Existing structures; general; fire hazard in existing non-high rise structures.

Add a new subsection as follows:

"Section 3401.7 ~~3401.4~~ Fire hazard. An existing building, regardless of occupancy, that exceeds the areas and heights allowed by Chapter 5 of this code or that does not conform to the requirements of Section 704, Fire resistive rated construction, Exterior walls, and in the building official's opinion presents a serious fire threat to adjacent property, will be required to have installed an approved automatic sprinkler system, fire walls, a combination of both, or other approved means intended to reduce the fire threat."

19.03.3410.1 Moved structures.

Delete section and add the following:

"3410.1 ~~*3408.1*~~ Buildings, structures and their building service equipment moved into or within the jurisdiction shall comply with the provisions of the International Existing Building Code."

19.03.3411.1 Accessibility for existing buildings; scope.

Add an ~~a second~~ exception as follows:

"1 ~~2.~~. For existing R-3 buildings in residential zoned neighborhoods, disabled access requirements are not required for converting an R-3 to a mixed-use, R-3 and commercial-use building, as long as the owner of the commercial use both lives and works in the building. Presence of employees or public use does not reinstate disabled access requirements for this type of Home Occupation R-3 mixed use. Disabled access for the commercial use is required when the Home Occupation's commercial use is an E occupancy."

~~Exception: Disabled access for the commercial use is required when the Home Occupation's commercial use is an E occupancy."~~

Section 3. Amendment of Chapter. Chapter 19.03 Building Code, is amended by deleting the following sections:

19.03.310.2	Definitions.
19.03.502.1	Definitions.
19.03.603.1.3	Combustible material in Type I and II construction: electrical.
19.03.705.2	Fire walls; projections.
19.03.804.4.1	Combustible materials in Type I and II construction; minimum critical radiant flux.
19.03.903.3.1.1.2	Automatic sprinkler systems; Elevator hoistways and machine rooms.
19.03.903.3.1.1.3	Automatic sprinkler systems; Inspectors test valve.

19.03.907.1.2	Fire alarm and detection systems; Fire alarm shop drawings.
19.03.907.2.4	Fire alarm and detection systems; Group F.
19.03.907.2.6.1	Fire alarm and detection systems; Group I-1.
19.03.907.2.7	Fire alarm and detection system; Group M.
19.03.907.2.8.1	Fire alarm and detection system; Group R-1; manual fire alarm system.
19.03.907.2.9.1	Fire alarm and detection system; Group R-2; manual fire alarm system.
19.03.907.2.10.1	Fire alarm and detection system; Group R-4; manual fire alarm system.
19.03.1002	Definition of "private stairway."

Section 4. Amendment of Chapter. Chapter 19.03 Building Code, is amended by adding the following sections:

19.03.305.2.4 Family child care homes.

Add a new section to read: Section 305.2.4 Family Child Care Homes. Family child care homes occupied as their primary residence (Group R-3) operating between the hours of 6:00 a.m. and 10:00 p.m. may accommodate a total of 12 children of any age without conforming to the requirements of this regulation for Group E occupancy, except for fire extinguishers as required by Section 906, smoke alarms as required by Section 907.211.2, carbon monoxide alarms as required by Section 908, means of egress requirements of Section 1003, and emergency escape and rescue openings, as required by *International Fire Code*, including children related to the staff. All stories that are not at grade plane shall have access to two exits. (SFM)

19.03.903.2.8.3 Group R-4.

Add a new subsection to read:

"An automatic sprinkler system shall be provided throughout all buildings that contain an R-4 occupancy."

19.03.903.5 Automatic Sprinkler Systems; Testing and maintenance.

Revise by adding a new sentence at the end of the paragraph to read: "A copy of the acceptance test certificate must be forwarded to the Division of Fire and Life Safety or the deferred authority having jurisdiction by the firm conducting the test within 30 days of the completion of installation."

19.03.903.6 Automatic sprinkler systems; Existing buildings; Group E.

Add a new section as follows:

"An approved automatic fire extinguishing system must be installed in Group E occupancy in accordance with Section 903.2.3, as revised, whenever alterations, or additions are made to an existing structure containing a Group E occupancy."

19.03.904.1 Alternative automatic fire-extinguishing systems; General.

Add a new sentence at the end of the paragraph to read: "A copy of the acceptance test certificate must be forwarded to the Division of Fire and Life Safety or the deferred authority having jurisdiction by the firm conducing the test within 30 days of the completion of the installation."

19.03.904.12 Alternative automatic fire-extinguishing systems; Water mist systems.

Add a new section as follows:

"Water-mist fire-extinguishing systems shall be installed, maintained, periodically inspected and tested in accordance with NFPA 750 and their listing."

19.03.907.2.11.3 Fire alarm and detection systems; Interconnection.

Add a new paragraph to read: "If more than 12 smoke alarms are interconnected the interconnecting means must be supervised in accordance with NFPA 72."

19.03.909.18 Acceptance tests.

Add a new sentence at the end of paragraph to read: "A copy of the acceptance test certificate must be forwarded to the Division of Fire and Life Safety or the deferred authority having jurisdiction by the firm conducting the test within 30 days of the completion of the installation."

19.03.2902.2.1 Plumbing systems; Separate facilities; Family or assisted-use toilet facilities serving as separate facilities.

In the first sentence after "family/assisted-use" add "/unisex."

Section 5. Amendment of Section. Section 19.03.202 Definitions, is amended by adding the following definitions in alphabetical order:

Bed and Breakfast means an owner-occupied dwelling with not more than one dwelling unit and not more than five guest rooms used for lodging for compensation on a transient basis.

Grade Plane means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or where the lot line is more than six feet from the building, between the building and a point six feet from the building. When fill or other construction is placed above the original ground level of a site, that fill or other construction shall not be considered in determining the grade plane of the building unless that fill extends at least 20 feet from the wall with no more than a uniform slope of two percent when either of the following two conditions exist:

1. The fill or construction is adjacent to an exterior wall of a building or

2. The fill was placed within the last five years and is excavated so that exterior walls are constructed below the finished grade of the fill.

Stairways, Private means stairways within commercial occupancies serving one tenant only and not used by the public.

Section 6. Amendment of Section. Section 19.03.202 Definitions, is amended to read:

19.03.202 Definitions.

. . .

"Building, existing, is a building that:

(A) was erected before December 5, 1956; or

(B) was erected before ~~June 9, 2014~~ new adoption date and complies with the building code regulations in effect at the time of construction." (SFM)

. . .

Section 7. Amendment of Chapter. The following sections of Chapter 19.04 Residential Code, are amended to read:

19.04.R010.1 Adoption of residential code.

For the purpose of regulating the erection, construction, prefabrication, enlargement, alteration, repair, replacement, removal, demolition, conversion, occupancy, equipment, use, location and maintenance of all detached one- and two-family dwellings including up to five guestrooms and multiple single-family dwellings (townhouses), not more than three stories in height with a separate means of egress, and their accessory structures located within the City and Borough, there is adopted by reference as the residential code of the City and Borough that compilation of rules and regulations prepared and, published by the International Code Council, a nationally recognized technical trade organization, which compilation is entitled "International Residential Code, 2012 ~~2006~~ Edition", and one copy which has been filed in the office of the municipal clerk of the City and Borough or in such place designated by the municipal clerk for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

19.04.R010.2 Other codes applicable to one- and two-family dwellings.

In addition to the requirements of this chapter, one- and two-family dwellings shall comply with all other applicable codes of the City and Borough including the following codes as modified in Title 19 and where applicable:

Title 19.01, Building Codes Administrative Code;

Title 19.02, Board of Appeals;

Title 19.12, Excavation and Grading Code;

2012 ~~2006~~ IPMC, Property Maintenance Code;

2012 ~~2006~~ IEBC, Existing Building Code;

2012 ~~2006~~ IBC Chapter 32, Encroachments into the Public Right-of-Way;

2012 ~~2006~~ UPC, Uniform Plumbing Code and Title 19.06, Plumbing Code;

2012 ~~2006~~ IFC, International Fire Code, in particular, Section 503, Fire Department Access and Appendix D, Fire Apparatus Access Roads.

19.04.R302.1.1 ~~19.04.R302.2~~ Fire-Resistant Construction; Exterior walls. ~~Exterior wall location; location on property.~~

Add a new subsection to read as follows:

"302.1.1 ~~R302.2~~ Location on Property. Buildings must adjoin or have access to a permanent public way or yard on not less than one side. Required yards must be permanently maintained.

19.04.R303.9 ~~19.04.R303.8~~ Required heating.

Add the following to the first sentence:

" . . . without involving the combustion of a solid fuel."

19.04.R307.1 Toilet, bath, and shower spaces; space required.

On Figure R307.1 Minimum Fixture Clearances delete "21 in." clearance on water closets and water bidet and replace with the following:

"(24 in."

Delete both "30 in. min." on Shower figure and replace with the following:

"See 2012 ~~2006~~ Uniform Plumbing Code Section 411.7 for shower dimension requirements."

19.04.R310.6 ~~19.04.R310.1.6~~ Replacement of existing nonconforming windows required for emergency escape and rescue.

Add a new subsection and new exception as follows:

" *R310.6 Replacement of existing nonconforming windows required for emergency escape and rescue.* Replacement windows for emergency escape and rescue shall meet the dimensions of this subsection. Where the existing rough opening does not allow for replacement window dimensional requirements of this subsection the rough opening shall be enlarged and the replacement window shall meet the full emergency escape and rescue openings per IRC Section R310.1 through R310.5.

R310.6.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 4 square feet (0.372 m2).

R310.6.2 Minimum opening height. The minimum net clear opening height shall be 22 inches (559 mm).

R310.6.3 Minimum opening width. The minimum net clear opening width shall be 20 inches (508 mm).

R310.6.4 Minimum sill height. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 48 inches (1118 mm) above the floor.

Exception: Installation of one or more permanently affixed steps extending the full width of the window opening constructed to the current adopted International Residential codes rise and run requirements so the top step is no greater than 44 inches to the top of the sill."

19.04.R311.9 ~~19.04.R311.7~~ Ladders.

Add a *new* subsection to read:

" *R311.7 Ladders.* Stairs or ladders used only to attend equipment or to access unoccupied spaces are exempt from the requirements of this section.

Sleeping and other lofts or similar separate spaces of not over 250 square feet and not containing *primary* kitchens or bathrooms may be accessed by alternating tread stair

with handrails on each side. Alternating tread stairs are defined in IBC Section 202 ~~1009.9~~."

19.04.R314.3 ~~19.04.R313.2~~ Smoke alarms; location ~~Alarms and detectors~~.

Add the following item:

"4. In any habitable room equal to or greater than 70 square feet and not used for cooking, eating, living room or other dedicated, non-sleeping uses."

19.04.R315 ~~19.04.R313.4~~ Carbon monoxide ~~detectors and~~ alarms.

~~Add a new section to read as follows:~~

~~" *R313.4.1 Carbon Monoxide Detectors and Alarms.* The provisions of this section shall apply to all dwelling units and guest rooms. At least one carbon monoxide detector or alarm shall be installed on each floor level. If a floor level contains bedrooms or sleeping rooms, at least one detector shall be located in the immediate vicinity of the sleeping area, outside of the bedrooms or sleeping rooms. Carbon monoxide detectors and alarms shall be installed in accordance with their listing. The alarm shall be clearly audible in all sleeping rooms, even if the intervening doors are closed.~~

R315.1 Carbon monoxide alarms.

Exceptions:

1. Carbon monoxide detectors and alarms are not required in dwelling units and structures that have no combustion appliances, attached garage, or other vehicle parking within 25 feet of any direct opening.

2. Carbon monoxide detectors and alarms are not required if all combustion equipment is located within a mechanical room separated from the rest of the building by construction capable of resisting the passage of smoke. If the structure has an attached and enclosed parking garage, the garage shall be ventilated by an approved automatic carbon monoxide exhaust system designed in accordance with the 2006 I.M.C.

R315.4.1 ~~*R313.4.2*~~ *Interconnection.* In new construction, all carbon monoxide detectors and alarms located within a single dwelling unit shall be interconnected in such a

manner that actuation of one alarm shall activate all of the alarms within the individual dwelling unit.

R315.4.2 ~~*R313.4.3*~~ *Power source.* In new construction, carbon monoxide detectors and alarms shall receive their primary power from the building wiring if the wiring is served from a commercial source, and shall be equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than what is required for overcurrent protection. In existing construction, carbon monoxide detectors and alarms may be powered by battery or a cord-and-plug with battery backup." (SFM)

19.04.R317.1 ~~**19.04.R319.1**~~ **Protection of wood and wood based products against decay; location required.**

In item 2, delete remainder of sentence after "exterior foundation walls".

19.04.R320 ~~**19.04.R322**~~ **Accessibility.**

Delete this section in its entirety.

19.04.R322.1.7 ~~**19.04.R324.1.6**~~ **Protection of water supply and sanitary sewage systems.**

Delete the following from the second sentence:

"...in accordance with the plumbing provisions of this code and Chapter 3 of the International Private Sewage Disposal Code."

19.04.322.1.9 ~~**19.04.R324.1.8**~~ **Flood-resistant construction; general; manufactured** ~~**housing**~~ **homes.**

Delete the last sentence and replace with the following:

"Manufactured homes shall not be placed in identified flood ways."

19.04.322.2.1 ~~19.04.R324.2.1~~ Flood-resistant construction; flood hazard areas (including A Zones); elevation requirements.

Replace item 2 with the following:

"2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet (mm) on the FIRM. Where elevation is unspecified on FIRM or from another authoritative source, the elevation may be determined by reasonable local judgment based on historical data, high water marks, photographs of past flooding, or other similar or relevant data. Failure to elevate construction at least 2 feet (610 mm) above grade in these areas may result in higher insurance rates."

19.04.R322.3.2 ~~19.04.R324.3.2~~ Flood-resistant construction; coastal high-hazard areas (including V Zones); elevation requirements.

Replace requirement number 3 with the following:

"3. The use of fill for structural support of buildings within V Zones may be allowed only when certified by an engineer licensed to practice in the State of Alaska that the fill, foundation and structure attached thereto is adequately anchored to resist floatation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on any and all building structural components. The use of fill for structural support shall not be permitted where soil investigations that are required in accordance with Section R401.4 indicate that soil material under the proposed fill is subject to scour or erosion from wave-velocity flow conditions. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrent interval)."

Replace requirement number 4 and its exception with the following:

"4. Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R324.3.4 and R324.3.5."

19.04.R401.3 Foundations; drainage.

Delete the last sentence and add the following:

"The grade away from foundation walls shall be a minimum of two percent positive grade within the first five feet."

And, in the exception, change "six inches (152 mm) of fall within ten feet (3,048 mm)" to read "two percent slope within five feet (1,524 mm)."

~~And, in the exception, change, change "5 percent" to read "2 percent" in the first sentence.~~

19.04.R404.1 Concrete and masonry foundation walls.

Add the following paragraph to section R404.1:

"Concrete and masonry foundation walls may be designed per City and Borough "Standard CBJ Foundations" handout dated January 2016 ~~July 1, 2005~~ and available in the office of the building official."

19.04.R502.15 Conventional light-frame construction; floor joists; vapor retarder.

Add the following subsection:

" *R502.15 Vapor retarder*. Under floor spaces and crawlspaces shall have a vapor retarder that is a minimum of 6 mil thick (0.15 mm) class 1 polyethylene film installed such that all edges are lapped a minimum of 6 inches (152 mm) and sealed with a permanent compatible sealing compound or adhesive. Such vapor retarder shall extend vertically up the foundation wall a minimum of 6 inches (152 mm) and be attached and sealed with a permanent compatible sealing compound or adhesive to the foundation wall. Vapor retarder shall not be attached to wood other than pressure preservative treated wood. Vapor retarder is to be contoured so as to avoid damage from walking upon it. All penetrations of vapor retarder shall be well sealed. Comparable substitutions of materials and or installation methods may be used as approved by the building official."

19.04.R703.2 Water resistive barrier ~~Weather-resistant sheathing paper~~.

Delete exception 2.

19.04.R802.11.1 Roof tie-down; uplift resistance.

Add the following sentence to the second paragraph:

"Uplift ties ~~Such ties~~ shall be spaced no farther than 48 inches apart."

19.04.N1101.1 Energy efficiency; general; scope.

Add the following sentence:

"This chapter of the IRC contains several references to the International Energy Conservation Code (IECC). The IECC is not adopted by the CBJ and is used herein as a reference only. A copy of the IECC is kept at the Juneau Permit Center and may be reviewed there or a copy may be obtained from the International Code Council."

~~And number the existing exception as "1."~~

And add the following exceptions:

~~"2.~~ 1. Cabins as defined in 19.01.202.

~~3. Remodeling.~~

~~4. Minor additions.~~

2.~~5.~~ Restoration and rehabilitation work on a dwelling designated as a historic building under Title 19.01.202, Historic Buildings, where adherence to the thermal code would substantially detract from significant historic features of the building."

19.04.N1101.10 ~~19.04.N1101.2~~ Climate Zones ~~Compliance.~~.

Delete this section in its entirety and replace with the following:

"For the purpose of this chapter the City and Borough of Juneau shall be classified as being located in Climate Zone 6."

19.04.N1102.2.8 ~~19.04.N1102.2.6~~ Energy efficiency; building thermal envelope; basement walls.

Add the following sentence at the end of the paragraph:

"Insulation installed on the exterior of basement walls shall be of waterproof materials."

19.04.N1102.10 ~~19.04.N1102.2.8~~ Energy efficiency; building thermal envelope; crawl space walls.

In the first sentence, delete the words "when the crawl space is not vented to outside."

And add the following as the last sentence:

"Any openings provided for ventilation or access shall be capable of being positively closed to prevent winter air infiltration. The closure shall provide nominal R-10 minimum thermal performance. Insulation installed on the exterior of crawlspace walls shall be of waterproof materials."

19.04.N1103.3 ~~19.04.N1103.7~~ Energy efficiency; Mechanical system ~~piping insulation.~~

Add the following subsection:

" *N1103.7* Piping *insulation.* All piping subject to damage from freezing shall be protected from freezing."

19.04.N1106 ~~19.04.N1104~~ Energy efficiency; special standards.

Add a new IRC section as follows:

" *N1104 Special standards.* Unusual housing designs such as earth shelters or domes, or designs using solar energy as a principal heat source may be approved by the building official even though not in compliance with IRC Sections N1101-N1103 if the applicant makes a clear showing based on accepted engineering standards that it is not feasible to apply IRC Sections N1101-N1103 and that the structure is as thermally efficient as those which do comply with those sections."

19.04.M1601.4.1 ~~19.04.M1601.3.1~~ Duct construction; Installation; Joints, seams, and connections ~~Duct construction; joints and seams~~.

Add the following as the last sentence:

"No cloth tape, mesh or similar tapes are allowed. The use of foil tape is approved."

19.04.G2415.12 ~~19.04.G2415.9~~ Minimum burial depth.

Add the following sentences to the end of the paragraph:

"Plastic and copper gas piping shall have at least 18 inches of earth cover or other equivalent protection. Warning tape shall be installed six inches above pipe for entire length of pipe."

19.04.Part VII ~~7~~ Plumbing.

Delete IRC Part VII ~~7~~, Chapters 25 through 32, and refer to Title 19.06 for adoption of the Uniform Plumbing Code.

Section 8. Amendment of Chapter. Chapter 19.04 Residential Code, is amended by the deletion of the following sections:

19.04.R303.3	Kitchens, bathrooms, and laundry rooms.
19.04.R309.1	Garage; opening protection.
19.04.R313	Smoke alarms.
19.04.R318.1	Moisture vapor retarders; moisture control.
19.04.R324.3.3	Flood-resistant construction; Coastal high-hazard areas (including V Zones); foundations.
19.04.R403.1.4.1	Frost protection.
19.04.R404.5	Retaining walls.
19.04.R407.2	Steel column protection.
19.04.Figure R602.7.2	Typical wood structural panel box header construction.

19.04.Table R602.7.2	Maximum spans for wood structural panel box headers.
19.04.Table N1102.1	Insulation and fenestration requirements by component. [a]
19.04.Table N1102.1.2	Equivalent *U*-Factors
19.04.N1103.2.1	Energy efficiency; systems; ducts; insulation.
19.04.G2406.4	Appliance location; liquefied petroleum gas facilities.
19.04.G2415.4	Piping through foundation wall.
19.04.G2420.5	Equipment shutoff valve.
19.04.E3305.4	Equipment location and clearances; location of clear spaces.
19.04.E3306.3	Minimum size of conductors.
19.04.E3504.2.1	Overhead service-drop and service conductor installation; vertical clearances; above roofs.
19.04.E3504.4	Overhead service-drop and service conductor installation; means of attachment.
19.04.E3504.5	Overhead service-drop and service conductor installation; service masts as supports.
19.04.R602.7	Headers.
19.04.E3603.2	Required branch circuits; kitchen and dining room area receptacles.
19.04.E3702.1	Above-ground installation requirements; installation and support requirements.

Section 9. Amendment of Chapter. Chapter 19.04 Residential Code, is amended by the addition of the following sections:

19.04.R302.2 Fire-Resistant Construction; Townhouses.

Change the Exception to read: "A common 2 hour fire-resistance-rated wall assembly is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall

be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4."

19.04.R602.10 Wall bracing

Delete Section 602.10 of the 2012 International Residential Code and refer to Section 602.10 of the 2006 International Residential Code.

19.04.R602.11 Wall anchorage.

Delete Section 602.11 of the 2012 International Residential Code and refer to Section 602.11 of the 2006 International Residential Code.

19.04.Part VIII Electrical

Delete IRC Part VIII, Chapters 34 through 41, and refer to Title 19.08 for adoption of the National Electrical Code.

Section 10. Amendment of Chapter. The following sections of Chapter 19.05 Existing Building Code, are amended to read:

19.05.010 International Existing Building Code (IEBC) adopted.

For the purpose of providing an alternative method of regulating the enlargement, alteration, repair, moving, conversion, occupancy, and use of existing buildings and structures or portions thereof in the City and Borough, there is adopted by reference, as the existing Building Code of the City and Borough, that certain compilation of rules and regulations prepared by the International Code Council, a nationally recognized technical trade organization, which compilation is entitled "International Existing Building Code, 2012 ~~2009~~ Edition," (IEBC) and one copy which has been filed in the office of the municipal clerk of the City and Borough, or places designated by the municipal clerk for public use, inspection and examination, and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

19.05.202 Definitions.

Delete the definition of "Existing Building" and add the following:

"Existing Building is a building that:

(A) was erected before December 5, 1956; or

(B) was erected before Insert Ordinance Adoption Date ~~June 19, 2014~~ and complies with the building code regulations in effect at the time of construction."

. . .

19.05.702.4 ~~19.05.602.4~~ Alterations - level 1; materials and methods.

Delete reference to "International Energy Conservation Code"

19.05.707 ~~19.05.607~~ Alterations-level 1; energy conservation.

Delete this section in its entirety.

19.05.810.1 ~~19.05.710.1~~ Alterations - level 2; plumbing; minimum fixtures.

Delete reference to "International Plumbing Code" and replace with "International Building Code" or "International Residential Code" as applicable.

19.05.811 ~~19.05.711~~ Alterations - level 2; energy conservation.

Delete this section in its entirety.

19.05.908 ~~19.05.808~~ Alterations - level 3; energy conservation.

Delete this section in its entirety.

19.05.1010.1 ~~19.05.910.1~~ Change of occupancy; plumbing; increased demand.

Delete reference to "International Plumbing Code" and replace with "International Building Code" or "International Residential Code" or "Uniform Plumbing Code" as applicable.

19.05.1012.8 ~~19.05.912.8~~ Change of occupancy; change of occupancy classification; accessibility.

Add an exception as follows:

For existing R-3 buildings in residential zoned neighborhoods, disabled access requirements are not required for converting an R-3 to a mixed-use, R-3 and commercial-use building, as long as the owner of the commercial use both lives and works in the building. Presence of employees or public use does not reinstate disabled access requirements for this type of Home Occupation R-3 mixed use. This exception does not apply when Home Occupation is combined with an E occupancy serving more than 12 children.

19.05.1401.2 ~~19.05.1301.2~~ Performance compliance methods; applicability.

Delete the phrase starting with "[Date to be inserted by the jurisdiction?" and insert the following: "the date specified in the definition of Existing Building in section 202, Definitions."

Section 11. Amendment of Chapter. The following sections of Chapter 19.06 Plumbing Code, are amended to read:

19.06.1.010 Uniform Plumbing Code (UPC) adopted.

For the purpose of regulating the erection, construction, reconstruction, addition, enlargement, conversion, equipment, use and maintenance of all plumbing within and without all buildings and structures or portions thereof within the City and Borough, there is adopted by reference as the plumbing code of the City and Borough, that certain compilation of rules and regulations prepared and published by the International Association of Plumbing and Mechanical Officials, a nationally recognized technical trade organization, which compilation is entitled "Uniform Plumbing Code, 2012 ~~2009~~ Edition," (UPC) and one copy which has been filed in the office of the municipal clerk of the City and Borough or at such places as designated by the municipal clerk, for public use, inspection and examination and which compilation is made a part of this

chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

19.06.1.312.1 ~~19.06.1.313.1~~ Protection of piping, materials, and structures.

Add the following sentence to the end of the paragraph:

"Sleeve to have an internal diameter 2″ larger than the pipe the sleeve is protecting when penetrating a foundation wall. Pipe to be centered in sleeve to allow 1" of annular space around the pipe."

19.06.1.312.7 ~~19.06.1.313.7~~ Protection of piping, materials and structures.

Delete remainder of sentence after Table 14-1.

19.06.1.422.0 ~~19.06.1.412.0~~ Minimum number of required fixtures.

Delete section and refer to IBC Section 2902.1, Table 2902.1, Minimum Number of Plumbing Facilities except that for assembly areas containing auditoriums, convention halls, stadiums, and casinos, the ratios of fixtures shall be as follows:

1. the number of water closets required for females are changed to provide
    a. four water closets for 1—50 females;
    b. six water closets for 51—100 females;
    c. 10 water closets for 101—200 females;
    d. 14 water closets for 201—400 females; and
    e. one additional water closet for each 100 females over 400 females; and
2. the number of lavatories required for females and males are changed to
    a. one lavatory for each water closet up to four water closets; and

b. one additional lavatory for each two additional water closets beyond four water closets. (DOL)

19.06.1.504.1.3 ~~19.06.1.505.1.3~~ Water heater requirements; location.

Add a new paragraph as follows:

"Installation of gas water heaters in crawl spaces is prohibited."

19.06.1.507.5 ~~19.06.1.508.5~~ Relief valve discharge.

Delete section 508.5.

19.06.1.603.1 ~~19.06.1.603.0~~ Cross-connection control; General.

Add the following to the end of the first sentence:

". . . and with provisions of section 19.06.2."

19.06.1.Table 604.1~~19.06.1.Table 6-4.~~

Delete "Asbestos-Cement" from the table.

19.06.1.604.2 Materials; Copper Tube.

Delete the exception.

19.06.1.609.3(2) ~~19.06.1.609.3.2~~ Installation; Under Concrete Slab.

Add the following as the first sentence:

"Copper pipe and tubing shall be protected from direct contact with concrete or cinder blocks by a minimum of 0.025 inch (0.64mm) approved sheathing or wrapping ."

19.06.1.701.1(2) ~~19.06.1.701.1.2~~ Drainage Piping. ~~Sanitary drainage; materials.~~

Delete the words "Chapter 15 "Firestop Protection and replace with the words "the building code".

19.06.1.701.1(7) ~~19.06.1.701.1.7~~ Drainage Piping. ~~Sanitary drainage; materials.~~

Add a new exception as follows:

"701.1.7 ABS, ~~and~~ PVC, and cast iron shall not be used underground where it passes underneath the foundation within one foot of building walls or footings unless adequately sleeved with schedule 40 steel ~~cast iron~~ or ductile iron with a minimum one inch annular space to a point two feet on each side of the wall or footing."

19.06.1.710.3(3) ~~19.06.1.710.3.3~~ Sanitary drainage; drainage of fixtures located below the next upstream manhole or below the main sewer level; Sewage Ejector Pumps.

Delete the words "three (3) inches (80 mm)" and replace with the words "two (2) inches (50mm"."

19.06.1.903.1(2) ~~19.06.1.903.1.2~~ Vents; materials; Applicable Standards.

Delete reference to "Chapter 15 Firestop Protection " and replace with "the Building Code."

19.06.1.1002.2 ~~19.06.1.TABLE 10-1~~ Horizontal lengths of trap arms.

Add footnote ** after the words "Horizontal Lengths ~~Distance~~ of Trap Arm" and below Table 1002.2 ~~Table 10-1~~ add the following:

"** Trap arms for residential floor drains may be extended beyond the limits of Table 1002.2 ~~Table 10-1~~ to where they pass under the nearest wall before installing the required vent."

19.06.1.1101.5.1 Subsoil drains; Discharge.

Add the following to the beginning of the paragraph:

"When required by the administrative authority..."

19.06.1.1101.11.2.2(b) ~~19.06.1.1101.11.2.2.2~~ Combined systems.

Delete this section in its entirety.

19.06.1.Chapter 12 Fuel gas piping.

In addition to the fuel gas pipe sizing requirements in this chapter, the fuel gas pipe sizing methods in the International Fuel Gas Code shall be considered acceptable methods of sizing fuel gas piping.

19.06.1.Chapter 15 Firestop protection.

Delete UPC Chapter 15 in its entirety. Refer to Chapter 7 of the International Building Code.

19.06.1.Chapter 16 Gray water systems.

Delete UPC Chapter 16 in its entirety.

APPENDICES

If a specific appendix is not listed as adopted it is deleted.

19.06.1.UPC Appendix C Alternate plumbing systems.

UPC Appendix C is adopted.

Section 12. Amendment of Chapter. The following sections of Chapter 19.06 Plumbing Code, are deleted in their entirety.

19.06.1.1101.5.6 Subsoil drains.

19.06.1.UPC Appendix L Alternate plumbing systems.

Section 13. Amendment of Chapter. The following sections of Chapter 19.07 Mechanical Code, are amended to read:

19.07.010 International ~~m~~Mechanical ~~e~~Code (IMC) adopted.

For the purpose of regulating the erection, installation, alterations, repair, relocation, replacement, addition to, use, design, quality of materials, location and maintenance of heating, ventilating, cooling and refrigeration systems, incinerators, and other miscellaneous heat-producing appliances within and without all buildings and structures and portions thereof within the City and Borough, there is adopted by reference as the mechanical code of the City and Borough that compilation of rules and regulations prepared and published by the International Code Council, a nationally recognized technical trade organization, which compilation is entitled "International Mechanical Code, 2012 ~~2009~~ Edition," (IMC) and one copy which has been filed in the office of the municipal clerk of the City and Borough or at such other places designated by the municipal clerk, for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

19.07.Table 304.8 ~~19.07.Table 304.7~~ Standard installation clearances, in inches for certain unlisted heat-producing appliances.

Insert table as follows: (SFM)

Table 304.8 ~~304.7~~ Standard Installation Clearances, In Inches For Certain Unlisted Heat-Producing Appliances

Appliances	Fuel	Above Top of Casing or Appliance	From Top and Sides of Warm-air Bonnet or Plenum	From Front (1)	From Back (6)	From Sides (6)
Residential – Type						
Furnaces - Floor For mounting on Combustible floors.	Solid	18(2)	18(2)	48	18	18
	Automatic Oil or comb. Gas-oil	36		12	12	12
Room Heaters(3) Circulating type.	Oil or Solid	36		24	12	12
Radiant or Other type.	Oil or Solid	36		36	36	36
Fireplace stove	Solid	48(4)		54	48(4)	48(4)
Incinerators Domestic types		36(5)		48	36	36
Commercial - Type Low Heat Appliances						
Unit Heaters Floor mounted any size.	All fuels	18		48	18	18
Other low-heat Industrial Appliances. Floor mounted or suspended.	All fuels	18	18	48	18	18
Commercial Industrial - Type Medium Heat Appliances						
Incinerators All sizes.		48		96	36	36

Footnotes:

(1) The minimum dimension shall be that necessary for servicing the appliance, including access for cleaning and normal care, tube removal, and similar items.

(2) The dimension may be six inches (152mm) for an automatically stoker-fired forced-warm-air furnace equipped with 250 degree Fahrenheit limit control and with barometric draft control operated by draft intensity and permanently set to limit draft to a maximum intensity of 0.13-inch water gauge (32Pa).

(3) Approved appliances must be installed on non-combustible floors and may be installed on protected combustible floors. Heating appliances approved for installation on protected combustible flooring shall be so constructed that flame and hot gases do not come in contact with the appliance base. Protection for combustible floors shall consist of four inch (102mm) hollow masonry covered with sheet metal at least 0.021 inch (0.5mm) thick (No. 24 manufacturer's standard gauge). Masonry must be permanently fastened in place in an approved manner with the ends unsealed and joints matched so as to provide free circulation of air through the masonry. Floor protection shall extend 12 inches (305mm) at the sides and rear of the appliance, except that at least 18 inches (457mm) shall be required on the appliance-opening side or sides measured horizontally from the edges of the opening.

(4) The 48-inch (1219mm) clearance may be reduced to 36 inches (914mm) when protection equivalent to that provided by items 1 through 6 of Table 304.8 (see below) is applied to the combustible construction.

(5) Clearance above the charging door must be at least 48 inches (1219mm).

(6) If the appliance is encased in brick, the 18-inch (457mm) clearance above and at sides and rear may be reduced to 12 inches (305mm).

19.07.Table 304.9 ~~19.07.Table 304.8~~ Clearances, in inches with specified forms of protection.

Insert the following table: (SFM)

Table 304.9 ~~304.8~~ Clearances, in inches with specified forms of protection. (1,2)

TYPE OF PROTECTION	Where the standard clearance in Table 304.8 ~~304.7~~ with no protection is												
Applied to the Combustible Material Unless Otherwise Specified and Covering All Surfaces within the Distance Specified as the Required Clearance with No Protection (Thicknesses Are Minimum)		36 Inches			18 Inches			12 Inches			6 Inches		
		(× 25.4 for mm)											
(× 25.4 for mm)		Above	Sides And Rear	Chimney or Vent Connector	Above	Sides and Rear	Chimney or Vent Connector	Above	Sides and Rear	Chimney or Vent Connector	Above	Sides and Rear	Chimney or Vent Connector
1.	¼″ in insulating mill board spaced out 1″ (3)	30	18	30	15	9	1 2	9	6	6	3	2	3
2.	0.013″ (No. 28 manufacturer's standard gage) steel sheet on ¼″ insulating millboard	24	18	24	12	9	12	9	6	4	3	2	2
3.	0.013″ (No. 28 manufacturer's standard gage) steel sheet spaced out	18	12	18	9	6	9	6	4	4	2	2	2

	1″ (3)												
4.	0.013″ (No. 28 manufacturer's standard gage) steel sheet on 1/8 ″ insulating mill board spaced out 1″ (3)	18	12	18	9	6	9	6	4	4	2	2	2
5.	1½″ insulating cement covering on heating appliance	18	12	36	9	6	18	6	4	9	2	1	6
6.	¼″ insulating millboard on 1″ mineral fiber batts reinforced with wire mesh or equivalent	18	12	18	6	6	6	4	4	4	2	2	2

1. For appliances complying with Sections 304.2 and 304.3.

2. Except for the protection described in Item 5, all clearances shall be measured from the outer surface of the appliance to the combustible material, disregarding any intervening protection applied to the combustible material.

3. Spacers shall be of noncombustible material.

NOTE: Insulating millboard is a factory-made product formed of noncombustible materials, normally fibers, and having a thermal conductivity of I Btu -inch per square foot per degree Fahrenheit [1.73W/(m K)] or less.

19.07.304.13 ~~19.07.304.12~~ Installation; aircraft servicing and storage areas.

Add a new subsection as follows:

"304.13 ~~304.12~~ Aircraft servicing and storage areas. Overhead heaters installed in aircraft storage or servicing areas shall be at least ten feet (3048 mm) above or away from the upper surface of wings or engine enclosures of the tallest aircraft which may be housed in the hangar."

19.07.501.3 ~~19.07.501.2~~ Exhaust discharge.

Delete the exceptions and add the following to the second sentence:

"unless it is part of an engineered ventilation system."

19.07.504.1 Clothes dryer exhaust; installation.

Delete the exception and add the following sentence:

"Condensing (ductless) clothes dryers shall not be used."

19.07.603.1 Duct construction and installation; general.

Add the following sentence:

"Bathroom, laundry room and kitchen room exhaust ducting and HRV ducting may be of smooth plastic, or smooth metal ~~or flexible metal~~. Ducting included as a part of a listed appliance may also be used as listed with that appliance."

19.07.604.1 Duct systems; insulation; general.

Delete the words "and the International Energy Conservation Code." (SFM)

Add to the end of the paragraph:

All supply and return air ducts and plenums shall be insulated with a minimum of R-5 insulation when located in unconditioned spaces and with a minimum of R-8 insulation

when located outside the building envelope. When located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by a minimum of R-8 insulation.

Exceptions:

1. When located within equipment.

2. When the design temperature difference between the interior and exterior of the duct or plenum does not exceed 15°F (8°C).

~~3. When located within the under floor crawlspace of a one or two family dwelling unit."~~

19.07.929.1 ~~**19.07.928.1**~~ **Unvented room heaters.**

Add a new section as follows:

19.07.928.1 Unvented Room Heaters. Unvented room heaters shall not be used."

19.07.1105.3 Machinery room, general requirements; Refrigerant detector.

Add a second sentence to read as follows:

"Refrigerant detectors shall alarm both inside and outside the machinery room."

Section 14. Amendment of Chapter. The following sections of Chapter 19.07 Mechanical Code, are deleted in their entirety.

19.07.601.4 Contamination prevention.

19.07.709.1 Combustion air; opening obstructions; general.

19.07.1105.6.2 Refrigeration; makeup air.

Section 15. Amendment of Chapter. The following sections of Chapter 19.09 Fuel Gas Code, are amended to read:

19.09.010 International Fuel Gas Code (IFGC) adopted.

For the purpose of regulating the installation, alterations, repair, relocation, replacement, addition to, use, design, quality of materials, location and maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories within and without all buildings and structures and portions thereof within the City and Borough, there is adopted by reference as the Mechanical Code of the City and Borough that compilation of rules and regulations prepared and published by the International Code Council, a nationally recognized technical trade organization, which compilation is entitled "International Fuel Gas Code, 2012 ~~2009~~ Edition," and one copy which has been filed in the office of the clerk of the City and Borough or at such other places designated by the clerk, for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the following enumerated additions, deletions and changes.

19.09.101.2 Administration, general, scope.

Add an Exception as follows:

"2. As an alternative to the provisions of this code, fuel gas piping systems and fuel gas water heaters shall be permitted to comply with the appropriate provisions of the 2012 Uniform Plumbing Code."

19.09.202 General definitions.

Add the following definitions:

"ICC Electrical Code shall mean appropriate corresponding references in the 2014 National Electrical Code adopted at CBJ 19.08.010."

19.09.305.13 ~~19.09.305.9~~ Installation; aircraft servicing and storage areas.

Add a new section as follows:

305.9 Aircraft Servicing and Storage Areas. Overhead heaters installed in aircraft storage or servicing areas shall be at least 10 feet (3048 mm) above or away from the upper surface of wings or engine enclosures of the tallest aircraft which may be housed in the hangar.

19.09.404.20 ~~19.09.404.18~~ Piping system installation; frost heave.

Add a new subsection as follows:

404.20 ~~404.18~~ Frost heave. At all points where fuel gas piping enters or leaves the ground there shall be installed, above ground, a connection capable of absorbing relative motion due to frost heave action. Such connectors shall be of a type approved by the building official and installed in such a manner to absorb a 6-inch (152 mm) displacement in any direction. A wire braided kink-proof flexible connection with woven jacket and oil proof synthetic tube and cover and neoprene liner may be used. Supporting wire shall run the full length of hose. Hose-to-pipe connectors are to be of the removable metal compression type.

Temperature range shall be -40 degrees F (-40c) to +250 degrees F (121c). (Aeroquip #1503 medium-pressure single-wire braid hose equipped with non-swivel male pipe fittings is an example of a suitable connector.)

19.09.404.21 ~~19.09.404.19~~ Piping system installation; flex connectors.

Add a new subsection as follows:

404.21 Flex connectors. Flex connectors listed for outdoor use may be used between meter and house main. No flex connector may pass through any wall, partition, panel or other barrier. Solid fittings shall be used on each end."

19.09.404.22 ~~19.09.404.20~~ Piping system installation; mobile homes.

Add a new subsection as follows:

404.22 ~~404.20~~ Mobile homes. Pounds to inches water-column regulators serving mobile homes and connected to copper tubing shall be attached directly to the inlet connection on the exterior of the mobile home, and shall not be located under the mobile home. An approved gas valve shall be installed immediately preceding the regulator."

Section 16. Amendment of Chapter. Chapter 19.09 Fuel Gas Code, is amended by repealing the following sections in their entirety:

19.09.404.4 Piping through foundation wall.

Section 17. Amendment of Chapter. The following sections of Chapter 19.10 Fire Code, are amended to read:

19.10.010 International Fire Code (IFC) adopted.

For the purpose of regulating the storage, handling and use of hazardous substances, materials and devices and other conditions hazardous to life or property in the use or occupancy of buildings or premises or portions thereof in the City and Borough, there is adopted by reference as the fire code of the City and Borough that certain compilation of rules and regulations jointly prepared and published by the International Code Council, a nationally recognized professional and trade organization, which compilation is entitled "International Fire Code, 2012~~2009~~ Edition," (IFC) and once copy which has been filed in the office of the municipal clerk of the City and Borough or such other places as designated by the municipal clerk for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth in this section, subject only to the enumerated additions, deletions and changes in this chapter.

…

19.10.202 Definitions.

The first sentence of the definition of "Airport" is revised to delete the words "with an overall length greater than 39 feet (11887 mm) and an overall exterior fuselage width greater than 6.6 feet (2012 mm)". (SFM)

. . .

And add an exception under the definition "Educational Group E, Day care" to read:

"Exception. Family child care homes (Group R-3) operating between the hours of 6:00 a.m. and 10:00 p.m. may accommodate a total of 12 children of any age without conforming to the requirements of this regulation (E occupancy) except for smoke detectors and alarms as described in Subsection 907.2.10; carbon monoxide detectors and alarms as specified in 19.03.425~~19.03.422~~; means of egress requirements of Section 1003, including emergency escape and rescue openings, as required by Section 1029~~1025~~, in napping or sleeping rooms; and portable fire extinguisher requirements as described in Section 906." (SFM)

Add a new paragraph between the first and second paragraphs of the definition of "Institutional Group I-1" in "Occupancy Classification" to read:

"A facility in this occupancy classification that has occupants who need physical assistance to respond in emergency situations must comply with the International Fire Code, Section ~~19.03.423~~ 405." (SFM)

. . .

Add a new paragraph to the definition for R-4 in "Residential Group R" of "Occupancy Classification between the first and second paragraphs to read: "Facilities within this occupancy classification that have occupants needing physical assistance to respond in emergency situations must comply with the International Fire Code, Section 405." ~~11.~~

And add the following definitions ~~definition~~:

"Service is the annual test, maintenance or service defined and required by applicable fire protection system maintenance standards set out in Table 901.6.1." (SFM)

"STAIRWAYS, PRIVATE" are stairways within commercial occupancies serving one tenant only and not used by the public."

19.10.308.1 ~~19.10.308.3~~ Open flame.

Delete IFC Section 308.1 ~~308.3~~ and add the following:

"*308.1* ~~*308.3*~~ *Open flame.* The use of open flame in connection with a public meeting or gathering for the purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purposes in assembly or educational occupancies shall be done in consultation with the fire department." (SFM)

19.10.501.3 Fire service features; general; construction documents.

Add a second paragraph to read:

"The fire chief of the registered department may require fire apparatus access roads, premises identification, key boxes, fire protection water supplies, fire protection and utility equipment identification and access, and emergency responder radio coverage in accordance with this chapter. Documentation shall be provided indicating that the fire chief has been involved in discussion regarding fire apparatus access roads, premises identification, key boxes, fire protection water supplies, fire protection and utility equipment identification and access, and emergency responder radio coverage.";

19.10.507.3 Fire flow.

Delete IFC Section 507.3 and add the following:

"508.3 Water supplies for the fire flow requirements for buildings or portions of buildings and facilities shall be calculated using the provisions of Appendix ~~Chapter~~ B and Table B105.1."

19.10.703.2.3.1 Door operation; operation.

Add a new subsection as follows:

" *703.2.3.1 Operation.* Fire assemblies shall not be obstructed or otherwise impaired from their proper operation at any time. When two or more self-closing fire assemblies within a building have been documented as having been obstructed or impaired during three or more inspections, the fire code official may order the installation of automatic closing devices meeting the requirements of Subsection 1008.1.9.9 and item 5 ~~715.4.7.3~~ of the IBC." (SFM)

19.10.901.4.7 ~~19.10.901.4.5~~ Fire protection systems; installation; marking of fire protection equipment and fire hydrants.

Add a new subsection as follows:

" *901.4.5 Marking of fire protection equipment and fire hydrants.* Fire Department connection devices for building sprinkler systems in new and existing buildings shall be identified by the installation of approved reflective markers or signs installed above the device in an unobstructed location at approximately 7 feet above grade."

19.10.903.2.3 Automatic sprinkler systems; Group E.

Delete IFC Section 903.2.3 ~~903.2.2~~, and add the following:

"903.2.3 ~~903.2.2~~ Group E. An automatic sprinkler system shall be provided throughout all buildings in Group E occupancies and for every portion of educational buildings below the level of exit discharge. The use of a firewall does not constitute a separate building for the purposes of this section.

Exception: Buildings with E occupancies having an occupant load of 49 or less.

Day care uses that are licensed to care for more than 5 persons between the hours of 10:00 p.m. and 6:00 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with Subsection 903.3.1.3, or an approved equivalent system." (SFM)

19.10.903.2.8 Automatic sprinkler systems; Group R.

Revise 903.2.8 as follows:

An automatic sprinkler system must be installed in Group R occupancies except as required in 903.2.8.1 through 903.2.8.4 ~~903.2.8.2~~.

19.10.903.2.8.3 ~~19.10.903.2.8.1~~ Automatic sprinkler systems; Group R-1.

Add a new subsection as follows:

Health Clinics with Transient Quarters may utilize a 13D sprinkler system throughout the building; a fire barrier can be utilized to separate the building and utilize a 13R. In addition, a rental cabin with potable water with stays less than 30 days will be considered R-1 and will be required to follow this section.

19.10.903.2.8.4 ~~19.10.903.2.8.2~~ Automatic sprinkler systems; Group R-2.

A new subsection as follows:

An automatic sprinkler system or a residential sprinkler system installed in accordance with Section 903.3.1.2 must be provided throughout all buildings with a Group R-2 fire area that are more than two stories in height, including basements, or that have more than four dwelling units or 16 sleeping rooms.";

19.10.903.2.11.3 Automatic sprinkler systems; Buildings 55 feet or more in height.

Delete subsection 903.2.11.3~~903.2.10.3~~, and the Exceptions and add the following:

"*903.2.11.3* ~~*903.2.10.3*~~ *Buildings over three stories or more than 35 feet in height.* An automatic fire sprinkler system shall be installed throughout all buildings more than three stories in height or where any portion is more than 35 feet above or below fire department vehicle access. This requirement shall not affect the sprinkler substitutions in IBC Chapter 5, General Building Heights and Areas and IBC Chapter 7, Fire Resistance-Rated Construction."

19.10.903.6.1 ~~**19.10.903.6.2**~~ **Automatic sprinkler systems; existing buildings; educational occupancies.**

Add a new subsection as follows:

"*903.6.1* ~~*903.6.2*~~ *Educational occupancies.* An approved automatic fire extinguishing system shall be installed in an E Occupancy in accordance with Section 903.2.2, as revised, whenever alterations, repairs or additions are made to an existing structure containing an E Occupancy." (SFM)

19.10.907.2.3 Fire alarm and detection systems; Group E.

Add a second paragraph as follows:

"Rooms used for sleeping or napping purposes within a day care use of a Group E occupancy must be provided with smoke alarms that comply with the requirements of section 907.2.12.2 ~~907.2.11.2~~." (SFM)

And delete exception 3. (SFM)

19.10.1009.4 ~~**19.10.1009.1**~~ **Stairway width.**

Add the following exception:

"5. Private Stairways, as defined in Chapter 2 ~~19.10.1002.1~~, may be 32 inches wide."

19.10.1009.7.2 ~~**19.10.1009.3**~~ **Stairways; stair treads and risers; Riser height and tread depth.**

Add the following:

"8~~6~~. Private Stairways, as defined in Chapter 2, ~~19.10.1002.1~~ shall have stair riser heights of 8 inches maximum and stair tread depths of 9 inches minimum."

19.10.1009.8 ~~19.10.1009.5~~ Stairway landings.

Add the following exception:

"2~~3~~. Landings are not required at the top or bottom of stairways accessing non-habitable building equipment rooms."

19.10.1009.9.2 ~~19.10.1009.6.2~~ Stairway construction; outdoor conditions.

Insert ", snow or ice" after the word "water". (SFM)

19.101009.13 ~~19.10.1009.10~~ Alternating tread devices.

Insert the following to the last line of the first paragraph between the words "in area" and the words "and for access to unoccupied roofs."

"; in buildings covered by the IRC and Group R-3 sleeping and other lofts or similar separate spaces of not over 250 square feet and not containing kitchens"

19.10.1010.8.2 ~~19.10.1010.7.2~~ Ramp construction; outdoor conditions.

Insert ", snow or ice" after the word "water". (SFM)

19.10.3201.2 ~~19.10.2301.2~~ High-piled combustible storage; permits.

Delete IFC Section 2301.2 and replace with the following:

"A permit shall be required as set forth in 19.01.108.15.1."

19.10.5001.5 ~~19.10.2701.5~~ Hazardous materials - general provisions; permits.

Add a new paragraph at the end of the subsection as follows:

"For purposes of storage and transport of hazardous materials at, through or near marine facilities, NFPA 307-1995, Standard for the Construction and Fire Protection of Marine Terminals, Piers and Wharves, shall apply."

19.10.5601.1.3 ~~19.10.3301.1.3~~ Explosives and fireworks; general; fireworks.

~~Delete Section 3301.1.3 Fireworks.~~

~~Replace with the following sentence:~~

~~"Notwithstanding any other provision of the CBJ Code, the sale, or offer for sale, of fireworks, as defined in Alaska Statute 18.72.100 as it may be amended from time to time, is prohibited; violation of this section is a Class B misdemeanor."~~

Section 5601.1.3 is revised, with the exceptions remaining, to read: "The storage, use, and handling of fireworks is prohibited except as allowed in this section and AS 18.72."; (SFM)

19.10.5608.2 ~~19.10.3308.2~~ Firework display ~~displays~~; permit application.

Delete and add the following:

" *Permit application.* A license or permit must be obtained from the State Fire Marshal's office to conduct fireworks activities as described in Section 105.6 of the IFC including:

(1) a Wholesaler's License, as described in AS 18.72, to sell, or possess for sale, 1.4G or 1.3G fireworks at wholesale;

(2) a Retailer's Permit, as described in AS 18.72, for each location where the applicant intends to sell, or possess for sale, 1.4G fireworks at retail;

(3) a Pyrotechnic Operator's Permit to conduct a fireworks display or non-routine testing of 1.3G fireworks, or to possess fireworks for display or non-routine testing of 1.3G fireworks;

(4) a Fireworks Event Permit for each event involving public or private display of any amount of 1.3G fireworks or 250 gross pounds (113.4 kg) of salable fireworks; or

(5) an Annual Permit for routine testing of 1.3G fireworks.

A permit under (5) of this subsection may be obtained from the State Fire Marshal's office or, on a form approved by the State Fire Marshal, from the fire chief.

An applicant for a Fireworks Event Permit under item (4) of this subsection or for testing under item (5) of this subsection must hold a valid Pyrotechnic Operator's Permit under item (3) of this subsection." (SFM, partial)

19.10.5608.2.3 ~~19.10.3308.2.3~~ Fireworks display; permit application; delivery of fireworks.

Add a new subsection as follows:

"*5608.2.3. ~~3308.2.3~~ Delivery of fireworks.* The delivery of fireworks to locations within this jurisdiction is prohibited unless the vendor first obtains a license or permit from the state fire marshal and operates in a manner consistent with AS 18.72 and this section."

19.10.5608.6.1 ~~19.10.3308.6.1~~ Fireworks display; installation of mortars; mortar construction.

Add a new subsection to read:

"*5608.6.1 ~~3308.6.1~~ Mortar construction.* Mortars must be constructed of, paper, high density plastic pipe, or metal other than cast iron." (SFM)

19.10.5701.4 ~~19.10.3401.4~~ Flammable and combustible liquids; permits.

Delete subsection 5701.4, ~~3401.~~4 Permits.

19.10.5703.4 ~~19.10.3404.2.10~~ Flammable and combustible liquids; storage; ~~drainage and diking~~ spill control and secondary containment.

Add the following sentence to the end of the paragraph:

"Dikes shall be constructed as per NFPA Standard 30, Section 2-3.4.3"

19.10.5704.2.13.1.4 ~~19.10.3404.2.13.1.4~~ Flammable and combustible liquids; tanks abandoned in place.

Delete item 5;

And add the following to the end of item 3:

"such as sand or concrete."

19.10.5704.3.5.1 ~~19.10.3404.3.5.1~~ Flammable and combustible liquids; storage; basement storage.

Delete IFC Section 5704.3.5.1 ~~3404.3.5.1~~ in its entirety.

19.10.5801.3 ~~19.10.3501.3~~ Flammable gases; general; plan review.

Add a new subsection to read:

"*5801.3* ~~*3501.3*~~ *Plan Review*. Where a single container or the aggregate capacity of all containers at a site is over 500-gallon (1892.7 L) water capacity, the installer shall submit plans for review before installation in accordance with 13 AAC 50.027." (SFM)

19.10.6101.2 ~~19.10.3801.2~~ Liquefied petroleum gases; permits.

Delete IFC subsection 6101.2 ~~3801.2~~ in its entirety.

19.10.Chapter 80 ~~19.10.Chapter 47~~ Referenced standards; NFPA.

In IFC Chapter ~~47~~ 80, NFPA, add the following standards to those listed and delete listings for other years editions of the same standards:

~~NFPA 10-2007, 12-2000, 12A-1997, 13-2007, 13D-2007, 13R-2007, 14-2007, 20-2007, 36-2001, 37-2002, 53-1999, 59-2001, 72-2007, 75-1999, 77-2000, 79-1997, 86C-1999, 86D-1999, 96-2008, 99B-2002, 262-1999, 312-2000, 410-1999, 415-1997, 423-1999, 720-2006.~~ NFPA 10, 2010, NFPA 13, 2010, NFPA 13D, 2010, NFPA 13R, 2010, NFPA 14, 2010, NFPA 72, 2010, NFPA 750, 2010. (SFM partial)

Section 18. Amendment of Chapter. The following sections of Chapter 19.10 Fire Code, are deleted in their entirety:

19.10.401.3 Emergency responder notification.

19.10.903.2.11.1 Automatic sprinkler systems; stories and basements without openings.

19.10.1013.3 Guards; opening limitations.

19.10.1021.2 Number of exits and continuity; single exits.

19.10.1102.1 Aviation facilities; definitions. 19.10.Section 202; Definitions; airport.

19.10.1103.5 Aviation facilities; dispensing of flammable and combustible liquids.

19.10.1105.8 Portable fire extinguishers; reporting use.

19.10.1106.1 Aircraft motor vehicle fuel-dispensing facilities.

19.10.2211.2.3 Repair garages; drainage and disposal of liquids and oil-soaked waste.

19.10.3301.1.6 Explosives and fireworks; scope; transportation.

19.10.3301.2 Explosives and fireworks; permit required.

19.10.3302.1 Definitions; Fireworks; fireworks 1.4G.

19.10.Appendix E Hazard categories.

19.10.Appendix F Hazard ranking.

19.10.Appendix G Cryogenic fluids - weight and volume equivalents.

Section 19. Amendment of Chapter. The following sections of Chapter 19.11 Property Maintenance Code, are amended to read:

19.11.202 Definitions; general definitions.

Add the following definitions:

"Existing Building is a building that:

(A) was erected before December 5, 1956; or

(B) was erected before Insert Ordinance Adoption Date ~~June 19, 2014~~ and complies with the building code regulations in effect at the time of construction."

. . .

19.11 Appendix A Boarding Standard

~~New section.~~

Adopted in its entirety.

Section 20. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: May 15, 2017
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2016-09(AO)

An Ordinance Appropriating to the Manager the Sum of $43,900 as Supplemental Funding for the Juneau International Airport for the Fiscal Year 2017 Operating Budget; Funding Provided from the Juneau International Airport Fund's Fund Balance.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriate. There is appropriated to the Manager the sum of $43,900 as funding for the Airport Fiscal Year 2017 operating budget.

Section 3. Source of Funds.

Airport Fund's Fund Balance	$ 43,900

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: May 15, 2017
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2016-09(AP)

An Ordinance Appropriating to the Manager the Sum of $180,000 as Supplemental Funding for the Parks and Recreation Program for the Fiscal Year 2017 Operating Budget; Funding Provided from the General Fund's Fund Balance.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriate. There is appropriated to the Manager the sum of $180,000 as funding for the Parks and Recreation program Fiscal Year 2017 operating budget.

Section 3. Source of Funds.

General Fund's Fund Balance	$ 180,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: 5/15/2017
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2016-09(AQ)

An Ordinance Appropriating to the Manager the Sum of $250,000 as Funding for the Pump Room as Part of the Fountain and Whale Related Site Elements that are Part of the Bridge Park Capital Improvement Project; Funding Provided through a Donation from The Whale Project Committee.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriate. There is appropriated to the Manager the sum of $250,000 as partial funding for the Bridge Park Capital Improvement Project.

Section 3. Source of Funds.

Donation from The Whale Project	$ 250,000

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this __ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: May 15, 2017
Drafted by: Finance

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2794

A Resolution De-Appropriating $499,954.54 from the Salmon Creek Secondary Disinfection Capital Improvement Project, Loan Funding from the Alaska Department of Environmental Conservation.

WHEREAS, under Article IX of the Home Rule Charter of the City and Borough of Juneau, the Assembly by resolution may reduce any appropriation, except for debt service or for cash deficit, provided that no appropriation may be reduced by more than the amount of the unencumbered balance; and

WHEREAS, Ordinance 2011-11(E) and Ordinance 2014-24(AJ) appropriated $1,270,000 and $4,000,000 in loan funding from the Alaska Department of Environmental Conservation as funding for the Salmon Creek Secondary Disinfection; and

WHEREAS, Resolution 2746 de-appropriated $4,700,000 from the Salmon Creek Secondary Disinfection Capital Improvement Project, Loan Funding from the Alaska Department of Environmental Conservation; and

WHEREAS, this project is ongoing; and

WHEREAS, the entire awarded loan amount is not needed.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The loan budget is de-appropriated from the Salmon Creek Secondary Disinfection Capital Improvement Project in the amount of $499,954.54; all funding from the Alaska Department of Environmental Conservation.

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this _____ day of _____ 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____

Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2798

A Resolution Ratifying the Economic Terms Tentative Agreement Between the City and Borough and the Marine Engineers Beneficial Association, and Applying those Terms to Non-represented Employees.

WHEREAS, the negotiating team representing the City and Borough has reached a tentative agreement on the fiscal year 2018 economic articles with the negotiating team representing the Marine Engineers Beneficial Association (AFL-CIO), in the Southeast Alaska General Government Unit Number 1; and

WHEREAS, the union representing those bargaining unit employees has reported that such employees do not need to ratify this tentative agreement because this is solely an economic terms reopener; and

WHEREAS, the economic terms include a $950 lump sum payment in fiscal year 2018; and

WHEREAS, this economic term also applies to non-represented employees of the City and Borough of Juneau; and

WHEREAS, this term and condition of employment is in keeping with previous Assembly direction.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The labor agreement between the City and Borough of Juneau and the Marine Engineers Beneficial Association (AFL-CIO), Southeast Alaska General Government Unit Number 1, valid for a three-year period beginning July 1, 2016 through June 30, 2019, is amended to include a $950 lump sum payment in accordance with the tentative agreement reached between the parties.

Section 2. The $950 lump sum payment in fiscal year 2018 shall also be applied to non-represented employees of the City and Borough of Juneau.

Section 3. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _____ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

TA 4/12/17 11:30

11:11

ARTICLE 9

LEAVE

9.1 – Accrual Rates

(a) Permanent and probationary employees assigned to a 37.5 hour work week shall accrue personal leave at the rate of:

(1) Six and one tenth hours for each full biweekly period of work for employees with less than one year of service;

(2) Seven hours for each full biweekly period of work for employees with one but less than two years of service;

(3) Seven and eight tenths hours for each full biweekly period of work for employees with two but less than five years of service;

(4) Eight and seven tenths hours for each full biweekly period of work for employees with five but less than ten years of service;

(5) Ten and four tenths hours for each full biweekly period of work for employees with ten years or more of service.

(b) Permanent and probationary employees assigned to a 40 hour work week shall accrue personal leave at the rate of:

(1) Six and five tenth hours for each full biweekly period or work for employees with less than one year of service;

(2) Seven and four tenths hours for each full biweekly period or work for employees with one but less than two years or service;

(3) Eight and three tenths hours for each full biweekly period of work for employees with two but less than five years of service;

(4) Nine and three tenths hours for each full biweekly period of work for employees with five but less than ten years of service;

(5) Eleven and one tenth hours for each full biweekly period of work for employees with ten or more years of service.

(c) Additional Accrual. The following permanent and probationary employees shall accrue an additional day of personal leave for each full month in pay status in addition to the accrual provided for in this section:

Employees at the Juneau-Douglas Wastewater Treatment Plant who are employed as operators, mechanics and laborers;
Employees at the Mendenhall Wastewater Treatment Plant who are employed as operators, mechanics and laborers;

The purpose of this section is to compensate the above-listed positions which do not receive additional pay or time off for holidays - see Article 10, Section 3.

An employee who does not use the additional personal leave by the last day of the last full pay period ending in November, shall be paid for the unused portion at the employee's regular rate of pay. When payment is made, such leave will be deducted from the employee's leave balance. For purposes of this section, an additional day of leave per month equates to 3.5 hours of leave each biweekly pay period for an employee who regularly works 37.5 hours per week; and 3.7 hours of leave each biweekly pay period for an employee who works 40 hours or more per week.

9.2 – Unauthorized Leave

There is no accrual of leave for any pay period during which an employee is absent without approved leave. This includes, but is not limited to periods of unauthorized leave without pay and disciplinary leave without pay.

9.3 – Leave Anniversary Date

Changes in the rate of accrual as provided in Section 1 shall take effect on the first day of the pay period immediately following the date on which the employee completes the prescribed period of service. This date shall be referred to as the leave anniversary date.

9.4 – Part Time Employees

Employees working less than 15 hours per week do not accrue leave. Permanent and probationary employees working 15 hours or more, but less than 37.5 hours per week, shall accrue leave on a pro-rated basis according to a schedule established by the Human Resources & Risk Management Director.

9.5 – Minimum Use

Each employee shall take not less than one third of the leave accrued during the period beginning with the first day of the first pay period in January and ending with the last day of the pay period occurring fifty-two weeks later.

An employee shall be exempt from the minimum use requirement to the extent that such use would cause the employee's personal leave balance to be less than thirty days. Cash in and transfer of leave is not counted towards minimum leave use.

9.6 – Maximum Accrual

Leave accrued but not used shall accumulate to a maximum of not more than one hundred and fifty days on the first day of the first pay period in January.
Leave in excess of one hundred and fifty days shall be converted to medical leave and credited to the employee's medical leave bank.

One hundred and fifty days equates to 1125 hours for an employee working 37.5 hours per week and 1200 hours for an employee working 40 hours per week.

9.7 – Scheduling Leave

It is a mutual responsibility of the employee and the supervisor to schedule leave so that an employee has the opportunity to take the required minimum amount of leave and any leave that will exceed the one hundred and fifty day maximum accrual beginning with the first full pay period in January and ending with the last day of the pay period occurring fifty-two weeks later.

9.8 – Required Taking of Leave

The department director may at any time direct an employee to take accrued leave when such action is necessary to assure that the employee takes the minimum use required; or, that the leave which the employee is directed to take will be in excess of the one hundred and fifty days of maximum leave the employee is permitted to carry beyond the first day of the first pay period in January.

9.9 – Transfer of Leave

The Manager shall allow an employee to transfer leave to another person under the following conditions:

(a) The recipient must either be:

- (i) an employee who is absent for a family/medical leave reason and is on leave without pay and not retaining personal leave for use upon return from FMLA, or
- (ii) a family member of a deceased employee, or
- (iii) an employee who is absent due to the death of an immediate family member and is on Leave Without Pay. Immediate family member shall be defined in accordance with 20 PR 005 (21).

(b) The donor employee shall have a remaining personal leave balance of not less than twelve days.

(c) The donation is restricted to a maximum of thirty days or fifty percent of the employee's accrued personal leave, whichever is less.

Thirty days equates to 225 hours for an employee working 37.5 hours per week and 240 hours for an employee working 40 hours per week. Twelve days equates to 90 hours for an employee working 37.5 hours per weeks and 96 hours for an employee working 40 hours per week.

All future rights to compensation for such transferred leave used by the recipient are waived by the donor. Unused donated leave shall be returned to the donor.

Personal leave donated for use by another employee shall not be credited toward the donor's minimum leave use requirement.

Personal leave donated to another employee shall be given a cash value by multiplying the number of hours donated by the regular pay rate of the donor. This cash value shall then be divided by the regular hourly rate of the recipient and the recipient's medical leave bank shall be credited with that number of hours which are a result of the calculations.

Medical leave shall not be transferred to personal leave or be credited to any employee other than the employee who earned such leave. If the provisions of this Section increase the tax liability of any individual other than the recipient of the donation, this Section will be void and the parties shall meet immediately for the purposes of negotiating a replacement.

9.10 – Scheduled Use of Personal Leave

An employee may take personal leave at any time that business permits with the prior approval of the department director or the employee's supervisor who will make a good faith effort to respond in a timely manner.

9.11 – Unscheduled Use of Personal Leave

An employee may take personal leave for medical reasons when the employee's department director or supervisor is satisfied that the employee is sick or disabled to the extent that the employee cannot attend to the employee's regular duties. The employee shall promptly notify the relevant supervisor or department director when taking unscheduled personal leave.

An employee shall take personal leave for medical reasons when the employee's presence on the job would jeopardize the health of the employee or fellow employees.

An employee may take personal leave for medical reasons when illness or disability of a member of the employee's immediate family requires the attendance of the employee. For the purpose of this section, "immediate family" is defined as spouse (as defined in

the Family/Medical Leave Policy), child, father, mother, sister or brother in full, half, step or foster relation; mother-in-law and father-in-law, grandparents and grandchildren.

An employee may take up to ten days of unscheduled personal leave because of the death of a member of the employee's immediate family.

A department director may require a physician's statement or other acceptable proof that an employee's condition meets the requirements of this section before authorizing the use of personal leave.

9.12 – Taking of Banked Medical Leave

An employee who has banked medical leave may take such leave only when one of the following conditions exists:

(a) The employee has no accrued personal leave and the employee is sick or disabled to the extent that the employee cannot attend to the employee's regular duties.

(b) The employee has no accrued personal leave and the illness or disability of a member of the employee's immediate family requires the attendance of the employee.

(c) The employee has a medical disability exceeding one working day. In such instances the use of banked medical leave begins on the second day of absence.

(d) The employee's absence is due to an on-the-job injury with the Employer which qualifies as a workers' compensation claim to the extent that the employee's absence is not covered by workers' compensation.

A department director may require a physician's statement or other acceptable proof that an employee's condition meets the requirements of this section before authorizing the use of banked medical leave.

9.13 – Effect of Workers' Compensation

Workers' compensation payments shall be deducted from any personal leave or medical leave payments made to an employee so that the total compensation received by the employee does not exceed that employee's regular salary. In such instances the amount of leave charged the employee shall be reduced to equal the leave compensation paid.

9.14 – Leave Without Pay

(a) An employee may be granted leave without pay provided the granting of leave without pay does not cause any hardships to the CBJ beyond the benefits to be gained by granting leave.

(b) An employee who is paid a salary may not be charged leave without pay for less than a full day increment.

(c) An employee who is paid a salary and who has no accrued personal leave will be advanced personal leave in increments of less than one day to prevent being charged leave without pay for less than one day.

(d) The maximum personal leave indebtedness for an employee who is paid a salary is two days.

(e) Leave without pay in excess of twenty days in a calendar year must be approved by the Manager unless it is for a reason related to Family/Medical Leave. For employees of the Docks & Harbors Department, leave without pay in excess of twenty days in a calendar year must be approved by the Port Director unless it is for a reason related to Family/Medical Leave.

(f) An employee who has been employed for the previous 26 weeks and has no accrued personal leave will be granted leave without pay for Family/Medical Leave reasons. (See Section 15.)

9.15 – Family/Medical Leave

Appendix A shall incorporate the Family Medical Leave policy in effect on the effective date of this contract.

9.16 – Cancellation of Leave

CBJ retains the right to cancel pre-approved leave when circumstances require such cancellation.

9.17 – Effect of Leave Without Pay

During any pay period that an employee is charged with leave without pay, that employee shall accrue personal leave and other benefits on a prorated basis the same as a part time employee.

The leave anniversary date and the merit anniversary date of an employee shall be set forward one pay period for each leave of absence without pay covering a full pay period and for each accumulation of ten days of leave without pay in any calendar year.

9.18 – Court Leave

An employee who is called to serve as a juror or subpoenaed as a witness to testify concerning matters within the scope of employment shall be entitled to court leave.

An employee on authorized court leave shall give the Employer all monies received from the court as compensation for services and the employee shall be paid at the employee's regular rate of pay while on court leave. The employee will be paid court leave on the employee's regularly scheduled workdays for the time the employee's presence is required by the court or the length of the shift, whichever is less.

Court leave shall be supported by written documents such as the subpoena or the Court Clerk's Statement of Attendance.

9.19 – Military and Emergency Service Leave

A permanent or probationary employee shall be entitled to a military leave of absence without pay to serve in the Armed Forces of the United States and shall be entitled to the re-employment benefits granted under the Uniformed Services Employment and Reemployment Rights Act as amended.

An employee who is a member of a reserve component of the United States Armed Forces is entitled to a leave of absence without loss of pay for that time during which he or she is ordered to training duty, as distinguished from active duty.

An Employee who is an auxiliary member of a component of the United States Armed Forces or an emergency services organization of the Employer may be granted military leave without loss of pay when under direct military control in the performance of search and rescue missions; or, responding to an emergency call under the control of the Employer. The total amount of paid military and emergency service leave for an employee may not exceed sixteen and one half days in any one calendar year. Sixteen and one half days equates to 123.8 hours for an employee working 37.5 hours per week and 132 hours for an employee working 40 hours per week.

9.20 – Personal Leave on Separation

An employee who is separated from employment shall receive within thirty days of separation leave in the form of a lump sum payment for the number of hours of accrued personal leave credited to the employee at time of separation.

If a separated employee is reemployed prior to the expiration of the number of working hours paid as leave on separation for that employee shall refund an amount equal to the compensation covering the period between the date of re-employment and the expiration of said leave. The leave represented by such refund shall be re-credited to the employee.

9.21 – Banked Medical Leave on Separation

All banked medical leave shall be canceled on separation and the employee may not receive any credit or compensation for such cancelled leave.

9.22 – Parent-Teacher Conference Leave

A parent or guardian of a student enrolled in a school or a licensed day care facility within the City and Borough may apply for a maximum of 1.5 hours leave to attend a conference with that child's teacher. Such leave will be without loss of pay, and may be granted no more than twice in a single school year to the same employee for conference regarding the same child. A supervisor may grant parent-teacher conference leave only in advance upon written request of the employee including the date and time of the conference and the finding by the supervisor that the leave can be accommodated without imposing added cost or inefficiencies in the work place. Supervisors shall make every reasonable effort to accommodate parent-teacher conference leave.

9.23 – Personal Leave Cash In

(A) An employee may cash in personal leave if the following requirements are met:

1) the employee's leave balance after the cash-in is not less than 21 days;
2) the leave cash-in does not exceed the equivalent of 15 work days per calendar year; and
3) the leave cash-in request is for a minimum of 5 days.

(B) 21 days is equal to:

1) 157.5 hours for an employee assigned to a 37.5 hour work week
2) 168 hours for an employee assigned to a 40 hour work week
3) 236 hours for an employee assigned to a 24/48 hour duty cycle

(C) 15 days is equal to:

1) 112.5 hours for an employee assigned to a 37.5 hour work week
2) 120 hours for an employee assigned to a 40 hour work week
3) 168 hours for an employee assigned to a 24/48 hour duty cycle

(D) Administration.

(1) Application for personal leave cash-in shall be made in writing to the Payroll Supervisor.
(2) Leave cash-in will be included in the employee's regular payroll check.
(3) A request for leave cash-in must be received no later than the last Friday of the pay period if the leave cash in is to be included in the paycheck for that pay period.

(4) The equivalencies established in subsection (a) shall be proportionately reduced for an employee assigned to work less than a full time schedule.
(5) The personal leave cash-in does not count toward minimum leave use requirements.

(E) An employee may cash in personal leave as necessary and without regard to the limitations in subsection (A) in order to purchase health insurance through the employer while on leave without pay.

9.24 Seasonal Leave

(A) A seasonal employee will receive the cash value of his or her personal or annual leave at the end of the season and be placed in leave without pay status until the work season resumes except that,

(B) A seasonal employee may retain a personal or annual leave balance not to exceed 160 hours if the employee so requests prior to the end of the work season.

9.25 – Personnel Rule 11 Superseded

This Article hereby replaces Personnel Rule 11 on Leave in its entirety.

TA 4/12/17 11:30

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ARTICLE 11

PAY RATES AND PAY DAYS

11.1 – Pay Schedule

The pay schedule appearing at Appendix B will cover all bargaining unit employees.

All bargaining unit members in positions classified as permanent, excluding seasonal, and whose regular work schedule is 37.5 hours per week or more, and who are employed on July 1, 2017~~6~~ shall receive a lump sum payment in the amount of nine hundred and fifty dollars ($950) on the payday of the first full pay period following July 1, 2017~~ratification of this agreement~~.

All bargaining unit members in positions classified as permanent seasonal or part time, who are employed on July 1, 2017~~6~~ shall receive a lump sum payment adjustment in the amount of nine hundred and fifty dollars ($950) pro-rated based upon hours worked in FY2017~~6~~. The minimum amount of the pro-rated lump sum payment shall be four hundred and seventy five dollars ($475). The pro-rated lump sum payment shall be paid on the payday of the first full pay period following ~~ratification of this agreement~~July 1, 2017.

11.2 – Merit Steps

(A) The merit anniversary date of a probationary employee appointed is the first day of the regular pay period following completion of the probationary period. In order to complete probation and achieve permanent status, a performance evaluation with an overall rating of "Acceptable" or better must be completed by the employee's supervisor or designee.

(B) The merit anniversary date of a full time employee shall be advanced one pay period for each 10 days of leave without pay.

(C) Steps 2 through 13 in the pay schedule recognize merit. A merit increase of 1 step in the pay range is given to a permanent employee who receives an overall performance rating of "acceptable" or better. Such increase is due when the employee establishes a merit anniversary date in accordance with 11.2 (A) and on the employee's merit anniversary date thereafter according to the following schedule:

(1) Steps 2 through 6: 1 year of service. One year of service is defined as 1,950 hours in pay status or twelve months of continuous service, whichever is greater.

(2) Steps 6 through 13: 2 years of service. Two years of service is defined as 3,900 hours in pay status or 24 months of continuous service, whichever is greater.

(3) For the purpose of implementing steps "11" through "13", any employee who has served at least two years at "10" step shall move to "11" step on July 30, 2012. Such employees shall be eligible to move to "12" step on their established merit anniversary date subsequent to serving two years at "11" step.

(4) Effective on the first day of the first pay period on or after July 1, 2013, increments between steps "7" through "13" shall be adjusted. Employees shall be placed on the new schedule in the following manner.

Old Step	New Step	Next MAD Advancement
Step "J"	Step "7"	MAD +1 year
Step "K:	Step "7"	next MAD
Step "L"	Step "8"	MAD + 1 year
Step "M"	Step "8"	next MAD
Step "N"	Step "9"	MAD + 1 year
Step "O"	Step "9"	next MAD

(D) The City Manager may grant an additional merit increase or advance the merit anniversary date by twelve months to an employee who receives an overall performance rating of "outstanding", and where other exceptional circumstances exist.

(E) A merit increase shall be automatically granted to a permanent employee on the employee's merit anniversary date unless the employee has been notified in writing that a merit increase has not been earned.

11.3 – Overtime Rate of Pay

The overtime rate of pay is one and one-half times an employee's normal hourly rate as provided for in Section 1 of this Article. There is no overtime rate of pay for employees paid on a salary basis.

11.4 – Overtime Defined

This section does not apply to employees paid on a salary basis.

(a) Employees whose work schedule is eight hours or less per day will be paid at the overtime rate of pay for all work in excess of eight hours in a day.

(b) Employees whose work schedule is more than eight hours per day will be paid at the overtime rate of pay for all work in excess of ten hours a day.

(c) All work on a holiday as defined in Article 10 shall be paid at the overtime rate of pay unless the holiday has been compensated for by an alternate day off or by increased personal leave credit.

(d) An employee who has a scheduled lunch break and is required to work an entire shift of not less than seven and one half hours without the scheduled lunch break shall be paid at the overtime rate for the lunch break.

(e) All hours worked in excess of 40 hours in a week, excluding those hours already paid at the overtime rate, shall be paid at the employee's overtime rate of pay.

(f) Overtime shall be paid in not less than one tenth (0.1) of an hour increments.

(g) Show-up compensation and standby duty are not creditable work hours.

(h) If an operational emergency causes an employee to work for a period of time such that the employee is unable to achieve sufficient rest before the start of a scheduled shift, a department director is authorized to grant the employee up to eight hours of administrative leave so that the employee receives sufficient rest before reporting to work. A new work day or new work week shall not cause an Employee who has not had a sufficient rest period to lose overtime eligibility. "Sufficient rest" is generally defined as eight hours away from work.

11.5 – Work on Sixth and Seventh Day

This section does not apply to employees paid on a salary basis.

An employee who works five consecutive days of not less than 7.5 hours each day will be paid the overtime rate for all work on the sixth consecutive day.

An employee who works six consecutive days of not less than 7.5 hours each day will be paid the overtime rate for all work on the seventh consecutive day.

All work on the eighth consecutive day will be considered as day one and will be paid at the regular rate unless otherwise provided for within this Agreement.

Scheduled work on the sixth or seventh consecutive day will be for a minimum of two hours duty and pay.

11.6 – Call Out

This section does not apply to employees paid on a salary basis and does not apply to employees whose regular work schedule is less than 37.5 hours per week.

(A) Work that requires the employee to report to a worksite.

(1) In scheduling extra duty, excluding extension of the employee's regular shift, the Employer shall notify the employee not less than twenty-four hours prior to the commencement of the extra duty. If less than twenty-four hours notice is given the extra duty shall be treated as "call out".

(2) The minimum call out compensation for the employee on stand-by duty shall be two (2) hours. The minimum call out compensation for the employee not on stand-by duty shall be two and one half (2 ½) hours. It is understood that employee not on stand-by but called out for work shall receive the additional ½ hours pay in addition to any hours worked beyond the minimum call out pay requirement.

(3) All compensation for call out shall be at one and one half (1 ½) times the employee's regular hour rate of pay.

(4) The call out period shall begin when an employee:

(a) reports to the employer's facility where work is to be performed, or

(b) reports to the actual location where the work is to be performed if that work is not at the employer's facility, or

(c) enters the employer's vehicle to travel to the work location, whichever occurs first.

(5) The call out period shall end when the employee completes the work associated with the call out, or arrives at his or her residence if assigned to drive the employer's vehicle, whichever occurs last.

(6) Stand-by pay ceases while an employee is being compensated for call out.

(7) When an employee is called out to duty two hours or less before the start of their shift, minimum call out shall apply regardless of actual hours worked.

(8) When an employee is called out to duty and less than two hours of actual work is performed, the difference between the actual time worked and the two hour minimum compensation shall be recorded as show-up compensation.

(B) Work performed on the telephone from home

(1) When an overtime eligible employee receives a phone call at home that requires substantive engagement, the employee shall be compensated at the appropriate rate of pay. For the purposes of this provision "substantive engagement" is defined as providing information to assist another employee in accomplishing that employee's work assignment. "Substantive engagement" does not mean responding to a telephone call regarding the employee's availability to work, an attempt to locate CBJ property, or some other inquiry that is quickly answered.

(2) The employee shall be compensated for actual time worked, but no less than thirty (30) minutes. If an employee receives additional phone calls within the thirty (30) minute time frame, but does not work beyond thirty (30) minutes from the time the initial telephone call was received, no additional pay will be warranted. If additional phone calls are received beyond the thirty (30) minute time frame, a new thirty (30) minute window will begin. In no case will an employee be compensated more than two (2)

hours pay per day for responding to telephone calls from home, unless time actually worked is in excess of two (2) hours.

11.7 – Payment of Overtime

Authorized overtime due and payable to an employee shall be paid as wages or compensatory time.

The preferred manner of payment shall be as wages. The department director will consider an employee's request to have overtime credited as compensatory time. An employee may be credited with compensatory time when the department director finds that the crediting of compensatory time will not result in any increased personal service hours or disruption to the employer's operations.

No compensatory time other than that earned during pay periods starting between November 12 through December 31 may remain credited to the account of any employee after the first day of the first pay period starting in January.

The Employer shall pay an employee at the employee's regular rate of pay for all time that is deducted from an employee's compensatory time account.

An employees credited compensatory time may not exceed 100 hours at the beginning of any pay period. If an employee's earned overtime posted as compensatory time at the conclusion of a pay period would cause the maximum to be exceeded, all such excess hours shall be paid as overtime wages.

Compensatory time may be taken with the prior approval of the supervisor and when the absence will not cause the Employer any additional personal service hours. An employee may use compensatory time in lieu of personal leave as long as the scheduling is approved.

11.8 – Shift Differentials

This section does not apply to employees paid on a salary basis.

Employees who are assigned to work swing, graveyard or weekend shifts, are eligible for shift differentials:

(a) One dollar and fifty ($1.50) per hour for each hour of duty between the hours of 4:00 p.m. and midnight,

(b) Two dollars ($2.00) per hour for each hour of duty between the hours of midnight and 8:00 a.m.

(c) Only those employees whose work schedule includes in excess of two hours between the hours of 4:00 p.m. and 8:00 a.m. are eligible for swing or graveyard shift differentials

(d) Two dollars ($2.00) per hour for each hour of duty between the hours of midnight and 11:59 p.m. on Saturday or Sunday. Employees receiving weekend shift differential shall not be eligible for swing or graveyard differential in addition to the weekend differential.

Periods worked of less than one hour shall be paid in not less than one tenth (0.1) of an hour increments.

11.9 – Standby Pay

This section does not apply to employees paid on a salary basis.

When the Employer assigns an employee to standby duty, that employee shall be paid three dollars and fifty cents ($3.50) for each hour of standby duty. Employees required to monitor and respond promptly to a pager or cell phone during non-working hours are on standby duty. If called out, the employee will be paid at the appropriate overtime rates and standby pay will cease. Standby duty is not credited to an employee for purposes of determining overtime eligibility.

Effective with the first pay period on or after July 1, 2014, the rate of pay for standby duty shall increase to $4.00.

Periods worked of less than one hour shall be paid in not less than one tenth (0.1) of an hour increments.

11.10 – Temporary Lead Worker Pay

This section does not apply to employees paid on a salary basis.

When two or more Bargaining Unit members in the same pay range are assigned to work on a job site without an assigned supervisor, the Employer may designate in writing one of the employees as a Temporary Lead worker. It will be that employee's responsibility to direct the work. For said period of time, the Lead Worker shall be paid one dollar ($1.00) per hour in addition to the employee's regular hourly rate.

Periods worked of less than one hour shall be paid in not less than one tenth (0.1) of an hour increments.

11.10B – Temporary Supervision Pay

This section does not apply to employees paid on a salary basis, employees whose position description includes responsibility for assuming the duties of the supervisory position, or employees who assume the duties of a supervisory position to fulfill the licensing requirements of a state or federal law.

When two or more Bargaining Unit members are assigned to a work function while the supervisor is not available for a short period of time (more than one work day and up to

two pay periods), the Employer may designate in writing one of the employees as Temporary Supervisor. It will be that Employee's responsibility to direct the work in order to continue to fulfill the function. For said period of time, the Temporary Supervisor shall be paid one dollar and twenty cents ($1.20) per hour in addition to the Employee's regular hourly rate.

11.11 – Compensation for Working Out of Class

A. Regular Compensation for Working in a Higher Level Job class

(1) When an employee is assigned the responsibilities of a higher-level position for a period of two weeks or more, the Employer shall pay the employee according to the pay range allocation of the higher level position. The assignment detailing the higher-level responsibilities must be made in writing prior to the beginning of the assignment.

(2) Step placement in the higher pay range shall not be less than a two step increase in the lower range. If the employee is at a step "M" of the lower range, the increase may not be less than the difference between step "L" and step "M" of the lower range.

(3) An employee is not eligible for payment at the higher level job class rate of pay for hours on regular pay status but not worked (e.g., vacation or holidays); however, such hours shall not be deemed to have interrupted a continuous out-of-class assignment.

B. Overtime Compensation for Working Out of Class

(1) An hourly employee who works in a higher level job class in what is normally a salaried position shall remain an hourly employee for the duration of the higher level assignment;

(2) A salaried employee who receives authorization to work out of class in an hourly position and who works the majority of his or her workday performing duties that are normally compensated at an hourly rate of pay shall be paid at one and one half (1 ½) times the employee's hourly rate of pay for hours worked beyond his or her regularly scheduled shift hours on that day.

11.12 – Training Time

An employee paid an hourly rate shall be compensated for scheduled training time that is required by the Employer. This section does not apply to correspondence and self study time by the employees in an established apprenticeship program.

11.13 – Pay Day

All employees shall be paid biweekly. The Employer shall distribute paychecks by 3:00 each pay day. If the pay day is a recognized holiday, then pay day shall be on the last working day prior to the recognized holiday.

Employees whose regular days off fall on a pay day shall have their checks available by the close of business the day before pay day.

The Employer shall make available paychecks for employees working the graveyard shift by 8:00 a.m. on payday.

If an employee's paycheck is not available on the designated pay day, the Employer shall, at the request of the employee, issue an emergency check to meet the regular pay day requirements.

11.14 – Examination of Pay Records

The authorized Union Representatives shall have the right to examine all payroll records pertaining to employees. The Employer may require a prior appointment.

In those instances that a prior appointment is required, the Employer shall schedule the appointment for a time prior to the close of business of the work day following the day of the request.

11.15 – Personnel Rules Replaced

This Article replaces Sections 080, 095, 097, 098, 100, 105, 110, 115, 120, 125, 130, 135, 140 and 145 of Personnel Rule 10; and, Sections 005, 015, 020, 025 and 026 of Personnel Rule 18.

TA 4/12/17 11:30 11:11

ARTICLE 23

HEALTH BENEFITS AND EMPLOYEE WELLNESS

23.1 – Employer Contribution

The employer shall continue to provide a tiered benefits program for the provision of health insurance. Eligible employees shall pay, by payroll deduction, any difference between the Employer's contribution and the amount required to provide the coverage elected by the employee under the tiered benefits program, except that the employer shall cover the full premium contribution for the employee only economy plan.

(1) Effective July 1, 2017~~6~~, the employer's contribution rate shall be $1260.00 per month per full-time, eligible employee.

(2) Changes to the employer's contribution rate shall be subject to the economic reopener outlined in Article 25.

(3) Permanent part-time, eligible employees shall be provided the option of participating in the group insurance plan by paying a prorated portion of the benefit cost.

Employees who participate in the Healthy Rewards program will receive up to a $50.00 per pay period reduction in their health insurance premium contribution rate. Participation will be tracked on a yearly basis and the premium reduction will be effective the next plan year.

Employees will have a period of twelve months to complete wellness requirements in order to qualify for the Healthy Rewards Program. It is anticipated that the participation period will run from June 1 through May 31st of any given plan year. The participation period is staggered to allow employees to qualify for the upcoming Healthy Rewards premium offset by the time open enrollment for the next plan year begins.

23.2 – Benefit Levels

(A) The eligibility of the employees and their dependents for coverage and the precise benefits to be provided shall be as set forth in the three-tiered insurance benefit plan written and maintained by the City and Borough for that purpose.

(B) The Employer shall provide written notice to the Union of changes to the level of health insurance benefits at least sixty (60) days prior to implementation.

23.3 – Termination of Benefits

(A) When an employee goes into Leave Without Pay or leaves employment due to termination, resignation or lay off, health insurance coverage ends at 12:01 a.m. on the day following the last day of pay status.

(B) When an employee is on Leave Without Pay while on Family/Medical leave, the provisions of the Family/Medical Leave policy apply and the employee pays the contribution amount the same as if they were working.

23.4 – Cost Containment

The Union states and affirms that they will continue to work with the Employer to effectively contain health benefit costs through encouraging proper utilization of the program and continued support of the Wellness Program.

23.5 – Health Committee

The parties will participate in a Health Committee, which will be made up of, at minimum, three members who are unrepresented employees, three from the Union, one from the Public Safety Employees Association, one from Bartlett Regional Hospital, and one administrative employee. The Committee will meet at least quarterly to review progress of cost containment efforts, review the administrative company's performance and offer suggestions regarding other options concerning employee health insurance. The Committee will develop checks and balances on plan adjustments to guarantee the

relative cost and value of the tiers are maintained. This committee may also develop, implement and evaluate Wellness Program activities and services and review the effectiveness of the Employee Assistance Program. The Health Committee will review the health benefit costs at its quarterly meetings and make recommendations to the parties that address increased costs.

23.6 – Wellness Program

The employer shall pay not less than $12.80 per full time employee per month to fund a Wellness Program.

23.7 – Personnel Rules Replaced

This Article replaces 18 PR 027 of the Personnel Rules.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

HUMAN RESOURCES & RISK MANAGEMENT DIVISION
155 S. Seward St.
Phone: (907)586-0225 Fax: (907)586-5392
e-mail: Dallas.Hargrave@juneau.org

MEMORANDUM

Date: April 19, 2017

To: City Assembly

Thru: Duncan Rorie Watt
City Manager

From: Dallas Hargrave
Human Resources & Risk Management Director

Re: Request for Ratification of MEBA Tentative Agreement on Contract Reopener and to Apply Terms to Unrepresented Employees.

The City and Borough of Juneau and the Marine Engineers Beneficial Association (MEBA) reached tentative agreement on a three-year collective bargaining agreement on July 19, 2016. The contract will take effect on July 1, 2016 and conclude on June 30, 2019. The collective bargaining agreement provided that either party may request to reopen economic terms for FY2018. On April 12, 2017, the parties reached a tentative agreement on economic terms for FY2018. Because there is already a three-year agreement that has been ratified by MEBA, the tentative agreement on economic terms does not need to go to their membership for a vote.

With this request to ratify the MEBA economic terms reopener, we are also requesting that the Assembly approve the same terms for unrepresented CBJ employees.

Economic Changes:

<u>Wages and Pay:</u>

MEBA FY18: The parties agreed to a $950 lump sum payment per employee for full time employees employed on July 1, 2017. Seasonal or part time employees will receive a prorated lump sum based on actual hours worked in FY2017, and in no case less than $475. It is estimated that the total cost of this lump sum payment is $248,000.

Unrepresented FY18: Each fulltime employee employed on July 1, 2017 will receive a lump sum payment of $950. Employees who are in seasonal and part time limited positions and have worked at least 195 hours in FY2017 will receive a prorated lump sum payment. Eaglecrest positions are excluded. It is estimated that this lump sum payment will cost $241,000.

Estimated cost by department for both MEBA and unrepresented employees (including benefits):

Department	FY18 Estimated Impact
Law	$12,177
Manager	$10,789
Clerk	$2,470
MIS	$17,290
Human Resources	$7,619
Libraries	$31,202
Finance	$49,838
CDD	$27,170
CCFR	$10,028
General Engineering	$23,376
Parks and Recreation	$81,209
Police	$17,290
Streets	$27,788
Capital Transit	$46,346
Total General Government	**$364,592**
Lands	$3,705
Airport	$31,249
Docks	$13,644
Harbors	$17,126
Risk / Wellness	$6,175
Public Works Equipment	$7,410
Public Works Water/Wastewater	$45,696
Total Non-General Government	**$125,005**
Total	**$489,597**

Health Insurance

FY18: For both MEBA and unrepresented employees there will be no increase to the employer's contribution for health care from the FY17 rate of $1260 per full time eligible employee, per month.

Operational Changes:

Because this reopener was only on economic terms, there were not operational changes agreed to.

Conclusion:

Overall contract negotiations on economic terms went quickly and smoothly. Carl Uchytil, Patty Wahto, Robert Barr, Ed Foster, and Shannon Ely participated on the bargaining team.

Request for Action:

The overall financial package is in line with previous briefings to the Assembly. We respectfully request that the Assembly approve the terms of this economic terms reopener, including similar terms for unrepresented employees.

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

April 7, 2017

City & Borough of Juneau
Attn: Beth McEwen
Via Email: beth.mcewen@juneau.org
Cc: City.Clerk@juneau.org

License Type:	Beverage Dispensary	**License Number:**	673
Licensee:	Juneau's Waterfront Restaurants, LLC.		
Doing Business As:	Pier 49 Seafood Station		

☐ **New Application** ☒ **Transfer of Ownership Application**
☒ **Transfer of Location Application** ☐ **Transfer of Controlling Interest Application**

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Jedediah Smith, Local Government Specialist
amco.localgovernmentonly@alaska.gov

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04** of **Alaska Statutes** and **Chapter 304** of the **Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	James A. Holdings Company, LLC		**License #:**		673
License Type:	Beverage Dispensary		**Statutory Reference:**		Sec:04.11.090
Doing Business As:	James A. Holdings Company,LLC				
Premises Address:	No Premises				
City:	Juneau	**State:**	AK	**ZIP:**	99801
Local Governing Body:	City and Borough of Juneau				

Transfer Type:

- [x] Regular transfer
- [x] Transfer with security interest
- [ ] Involuntary retransfer

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OFFICE USE ONLY			
Complete Date:		***Transaction #:***	
Board Meeting Date:		***License Years:***	
Issue Date:		***BRE:***	

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550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Juneau's Waterfront Restaurants, LLC				
Doing Business As:	Pier 49 Seafood Station				
Premises Address:	Suite Retail B & Adjoining Pier, 406 S. Franklin Street				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801
Community Council:	City & Borough of Juneau				

Mailing Address:	2 Marine Way, Suite 206				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801

Designated Licensee:	Reecia R.Wilson		
Contact Phone:	907-723-4658	**Business Phone:**	907-586-5018
Contact Email:	reecia@gmail.com		

Seasonal License? Yes ☐ No ☑ **If "Yes", write your six-month operating period:** _____

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Section 3 – Premises Information

Premises to be licensed is:

☑ an existing facility ☐ a new building ☐ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

Harborview Elementary School (1255 Glacier Ave, Juneau, AK 99801) 1 mile

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

Holy Trinity Church (325 Gold St , Juneau, AK, Juneau, AK 99801).4 mile

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.
If more space is needed, please attach a separate sheet with the required information.
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:	N/A				
Address:	N/A				
City:		**State:**		**ZIP:**	

This individual is an: ☐ applicant ☐ affiliate

Name:	N/A				
Address:	N/A				
City:		**State:**		**ZIP:**	

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.
If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a **corporation**, the following information must be completed for each ***stockholder who owns 10% or more*** of the stock in the corporation, and for each ***president, vice-president, secretary,*** and ***managing officer***.
- If the applicant is a **limited liability organization**, the following information must be completed for each ***member with an ownership interest of 10% or more***, and for each ***manager***.
- If the applicant is a **partnership**, including a **limited partnership**, the following information must be completed for each ***partner with an interest of 10% or more***, and for each ***general partner***.

Entity Official:	Reecia R. Wilson				
Title(s):	Managing Member	**Phone:**	907-723-4658	**% Owned:**	100
Address:	3136 Pioneer Ave.				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:	N/A				
Title(s):		**Phone:**		**% Owned:**	
Address:					
City:		**State:**		**ZIP:**	

Entity Official:	N/A				
Title(s):		**Phone:**		**% Owned:**	
Address:					
City:		**State:**		**ZIP:**	

Entity Official:	N/A				
Title(s):		**Phone:**		**% Owned:**	
Address:					
City:		**State:**		**ZIP:**	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10040116	**AK Formed Date:**	07/20/16	**Home State:**	Alaska
Registered Agent:	Reecia R.Wilson		**Agent's Phone:**	907-586-5018	
Agent's Mailing Address:	2 Marine Way, Ste 206				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska? ☑ ☐

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

	Yes	No
Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?	☑	☐

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Reecia R .Wilson has financial interest in the following liquor licenses in Alaska:

Hangar on the Wharf (Beverage Dispensary #3755) / Hangar on the Wharf Ballroom (Beverage Dispensary Duplicate #4797) Hangar on the Wharf Pizzeria Roma (Beverage Dispensary Duplicate #4788).

Twisted Fish Company (Beverage Dispensary #4842).

Flight Deck (Restaurant/Eating Place #3733).

Section 7 – Authorization

Communication with AMCO staff:

	Yes	No
Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?	☑	☐

If "Yes", disclose the name of the individual and the reason for this authorization:

Bruce B. Weyhrauch (Attorney representing James A. Holdings Company, LLC)

James Sheehan (Attorney representing Juneau's Waterfront Restaurants, LLC)

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of unsworn falsification that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and to the best of my knowledge and belief find the information on this application to be true, correct, and complete.

Signature of transferor

David D. Sanden

Printed name of transferor

Subscribed and sworn to before me this ____ day of _____, 20____.

SEE ATTACHED NOTARY CERTIFICATE

Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____

Signature of transferor

Reecia R Wilson

Printed name of transferor

Subscribed and sworn to before me this 2 day of November, 2016.

Natalia Kelly

Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: July 8, 2020

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STATE OF ALASKA

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California
County of Monterey

Subscribed and sworn to (or affirmed) before me on this -2- day of November, 2016 by David D. Sanden.

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature of Notary Public

APRIL WILSON
COMM. #2112441
NOTARY PUBLIC - CALIFORNIA
MONTEREY COUNTY
My Comm. Exp. May 28, 2019

NOTARY SEAL

ADDITIONAL OPTIONAL INFORMATION

Title or Description of attached document: Form AB-01: Transfer License Application

Document Date: 11/2/16

Number of Pages: 7 pgs + 4/c

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Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application. [RW]

I certify that all proposed licensees have been listed with the Division of Corporations. [RW]

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. [RW]

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465. [RW]

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application. [RW]

As an applicant for a liquor license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 04 and 3 AAC 304, and that I have examined this application, including all accompanying schedules and statements, and to the best of my knowledge and belief find them to be true, correct, and complete.

Signature of transferee

Reecia R. Wilson

Printed name

Subscribed and sworn to before me this 2 day of November, 20 16.

Natalie Rilly

Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: July 8, 2020

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Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, and consumption. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

	Yes	No
I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.	☑	☐

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Juneau's Waterfront Restaurants, LLC	**License Number:**	673		
License Type:	Beverage Dispensary				
Doing Business As:	Pier 49 Seafood Station				
Premises Address:	Retail B & Adjoining Pier, 406 S. Franklin Street				
City:	Juneau	**State:**	AK	**ZIP:**	99801

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Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, and consumption. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

SEE ATTACHED

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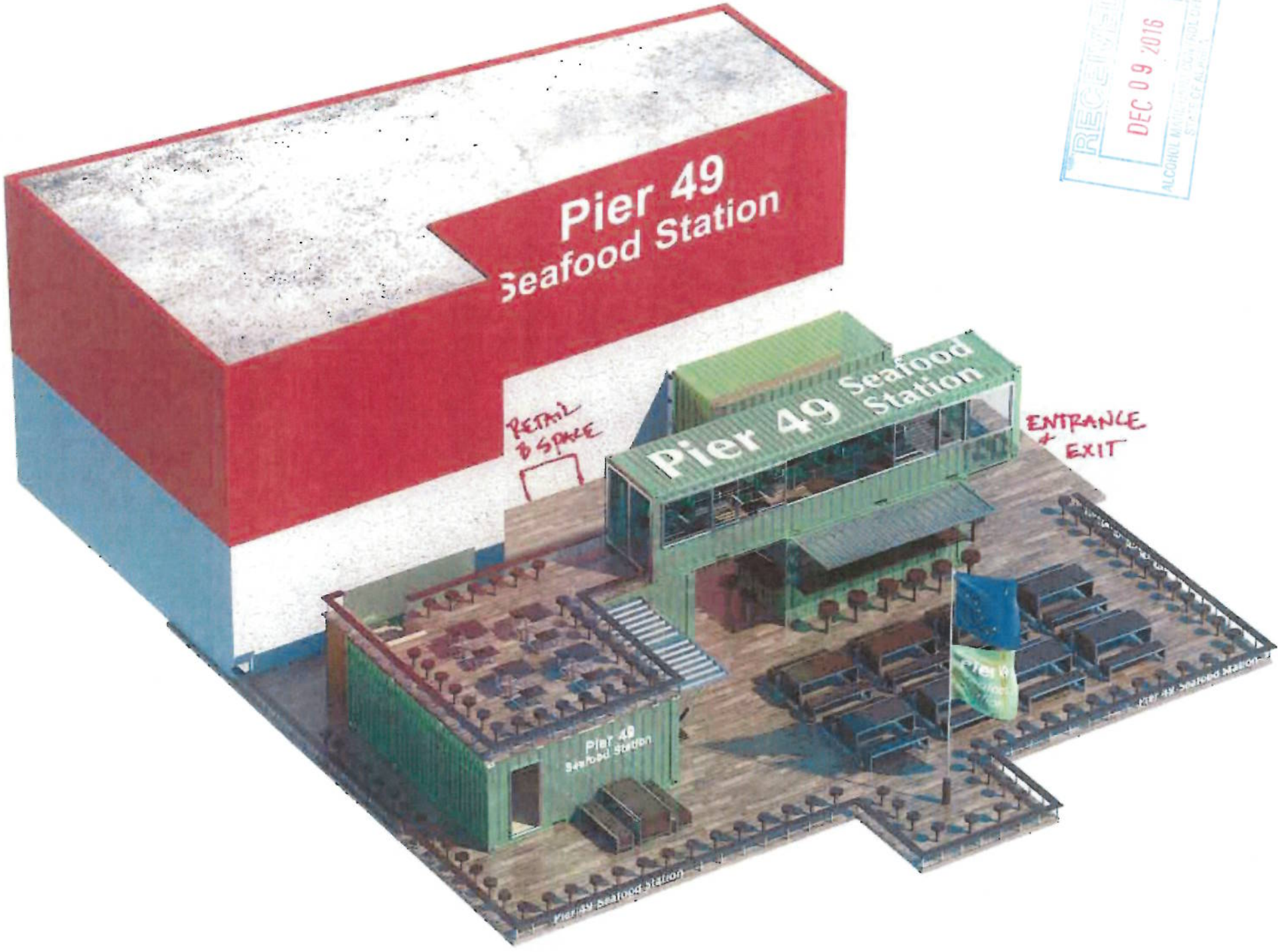

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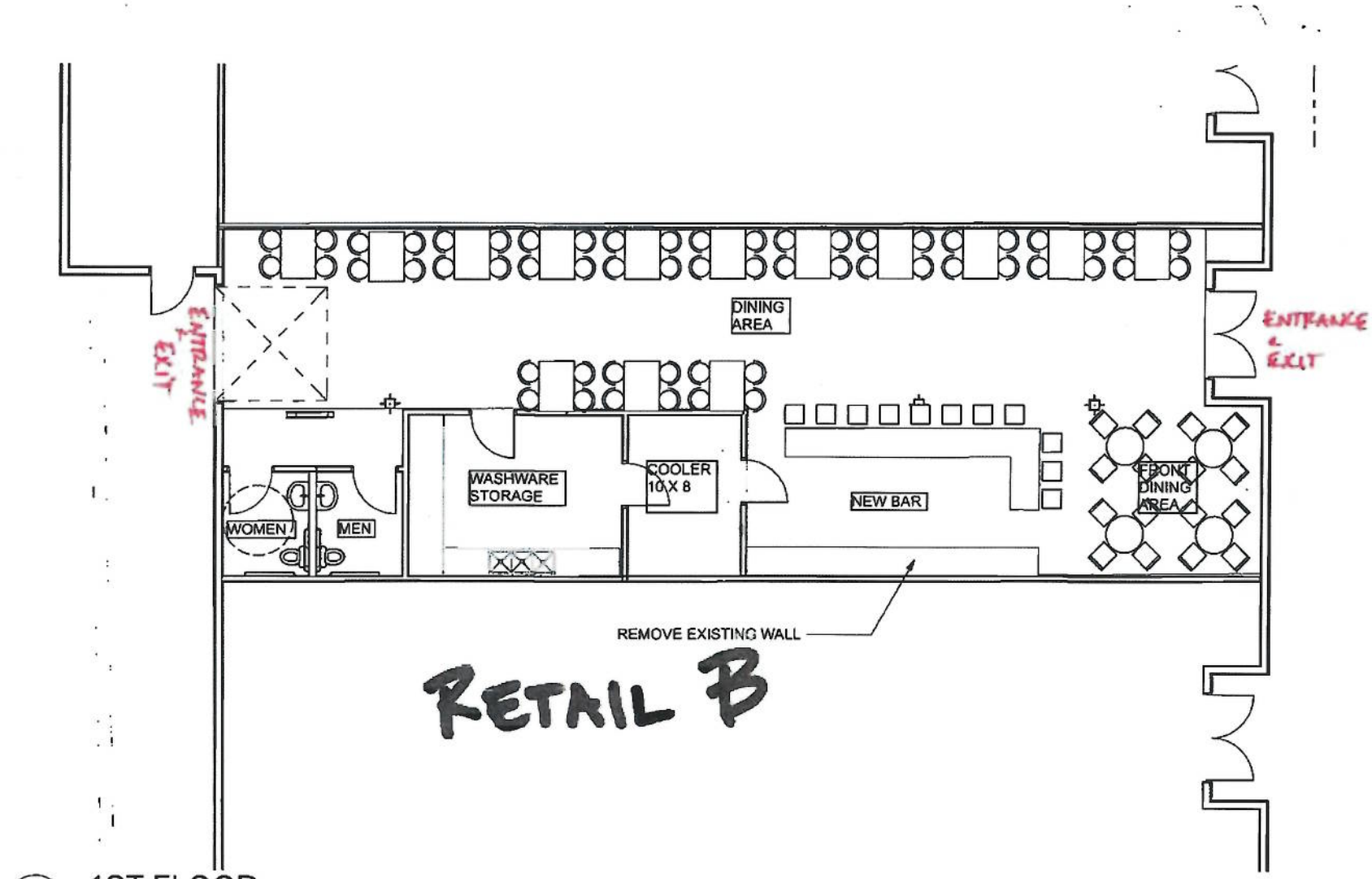

1 1ST FLOOR
SCALE: 1:80.97

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

NorthWind Architects LLC
126 Seward St
Juneau, AK 99801
Ph #907.586.6150
Fx #907.586.6181
www.northwindarch.com

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PACIFIC PIER IMPROVEMENTS

406 SOUTH FRANKLIN ST
JUNEAU ALASKA/JUNEAU

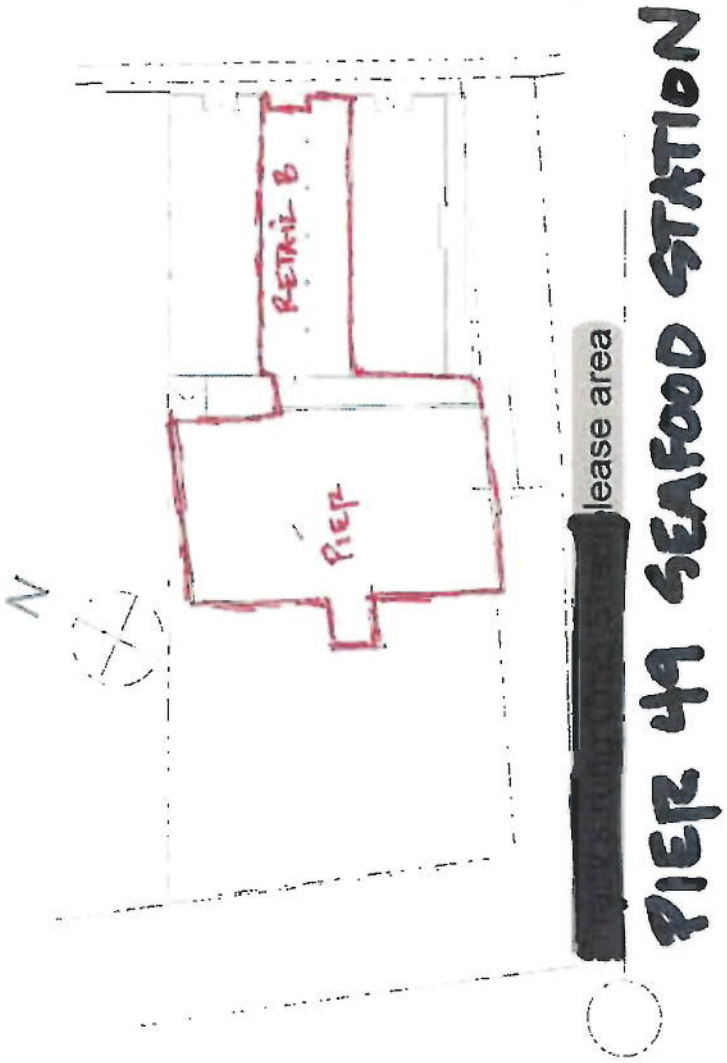
NWA 1333

SHEET TITLE
FLOOR PLAN

PROJ *** DATE OF ISSUE ***
APPROVED
DRAWN BY
DATE

SHEET #
A02

PLOT DATE 5/13/16



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A **detailed floor plan** of the proposed designated and undesignated areas of the licensed business and a **menu** or expected menu listing the meals to be offered to patrons must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required $50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	Juneau's Waterfront Restaurants, LLC.				
License Type:	Beverage Dispensary	**License Number:**	673		
Doing Business As:	Pier 49 Seafood Station				
Premises Address:	Suite Retail B & Adjoining Pier, 406 S. Franklin Street				
City:	Juneau	**State:**	Alaska	**ZIP:**	99801
Contact Name:	Reecia R. Wilson	**Contact Phone:**	907-723-4658		

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- ☑ **Dining after standard closing hours:** AS 04.16.010(c)
- ☑ **Dining by persons 16 – 20 years of age:** AS 04.16.049(a)(2)
- ☑ **Dining by persons under the age of 16 years, accompanied by a person over the age of 21:** AS 04.16.049(a)(3)
- ☑ **Employment for persons 16 or 17 years of age:** AS 04.16.049(c)
  NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY					
Issue Date:		*Transaction #:*		*BRE:*	

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Form AB-03: Restaurant Designation Permit Application

Section 3 – Additional Information

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Sunday - Saturday 11am - 10pm

Are any forms of entertainment offered or available within the licensed business or on the proposed designated portions of the premises? Yes ☑ No ☐

If "Yes", describe the entertainment offered or available:

Pier 49 Seafood may offer live entertainment on special occasions.

Food and beverage service offered or anticipated is:

☑ table service ☐ buffet service ☐ counter service ☐ other

If "other", describe the manner of food and beverage service offered or anticipated:

Is an owner, manager, or assistant manager 21 years of age or older always present on the premises during business hours? Yes ☑ No ☐

Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the third page of this form.

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the third page of this form that meet the requirements of this form. Yes ☑ No ☐

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 4 – Detailed Floor Plan

Provide a detailed floor plan that meets the requirements listed in Form AB-01 and clearly indicates the proposed designated and undesignated areas of the licensed business for purposes of this permit application.

SEE ATTACHED

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I have included with this form a detailed floor plan of the proposed designated and undesignated areas of the licensed business for purposes of this application. I understand that this diagram is different than my licensed premises diagram. [RW]

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. [RW]

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license. [RW]

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

REGLIA R. WILSON
Printed name of licensee

Natalie R. Clay
Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: July 8, 2020

Subscribed and sworn to before me this 8 day of December, 2016.

Local Government Review (to be completed by an appropriate local government official): Approved ☐ Disapproved ☐

Signature of local government official

Date

Printed name of local government official

Title

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Enforcement Recommendations:

AMCO Director Review:

Approved ☐ Disapproved ☐

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

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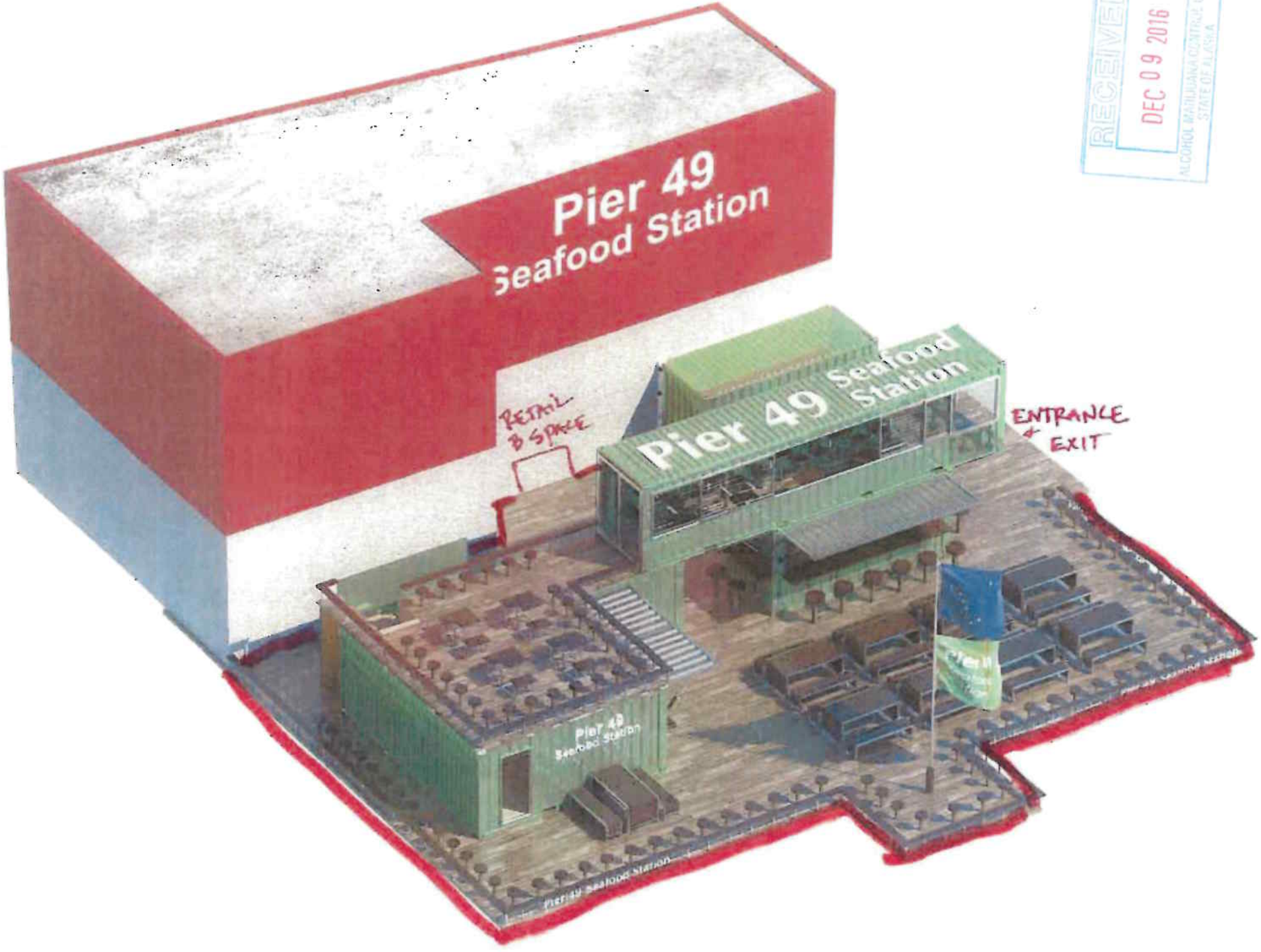

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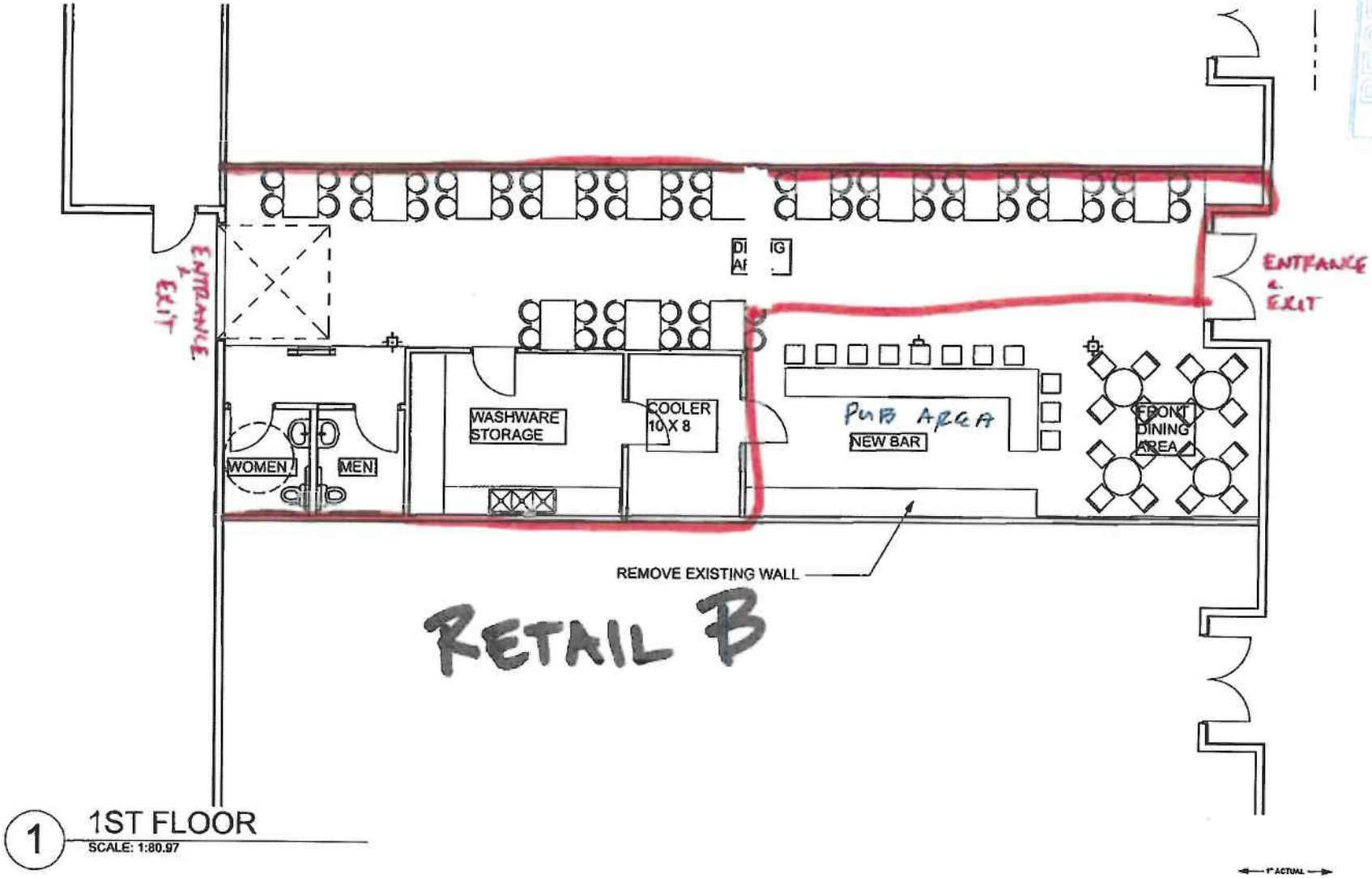

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www.northwindarch.com

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NWA 1333

SHEET TITLE
FLOOR PLAN

DATE *** DATE OF ISSUE ***

SHEET #
A02

PLOT DATE 5/13/16

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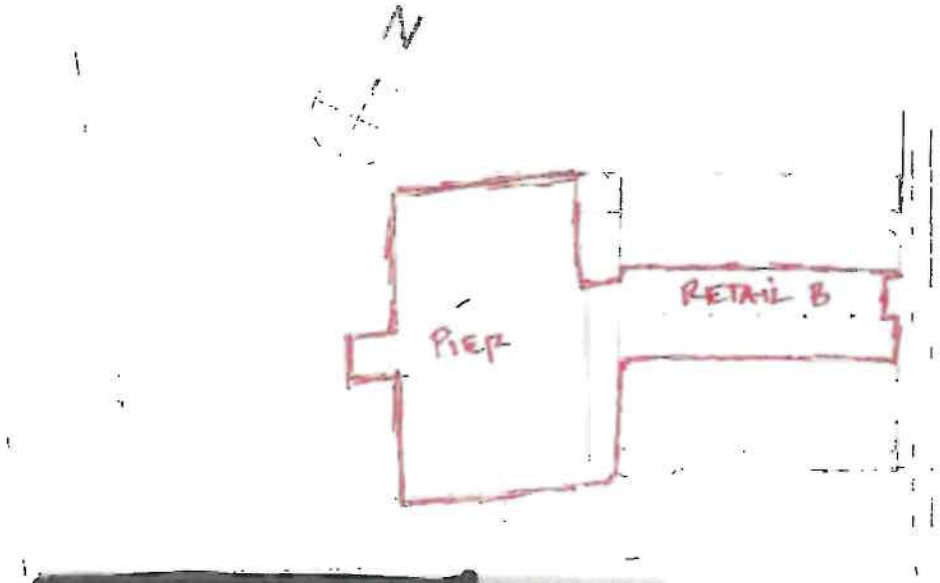

[redacted]lease area

PIER 49 SEAFOOD STATION

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

April 6, 2017

City & Borough of Juneau
Attn: City Clerk
Via Email: mcb_notice@juneau.org

License Number:	11384
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Green Elephant, LLC
Doing Business As:	GREEN ELEPHANT, LLC
Physical Address:	8420 Airport Boulevard Building B Juneau, AK 99801
Designated Licensee:	Richard Dudas
Phone Number:	907-321-5886
Email Address:	greenelephantalaska@gmail.com

☒ **New Application** ☐ **Transfer of Ownership Application** ☐ **Renewal Application**
☐ **Onsite Consumption Endorsement**

AMCO has received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

To protest the approval of this application(s) pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our May 2017 meeting.

Sincerely,

Erika McConnell

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov

License Number: 11384
License Status: New
License Type: Standard Marijuana Cultivation Facility
Doing Business As: GREEN ELEPHANT, LLC
Business License Number: 1036860
Designated Licensee: Richard Dudas
Email Address: greenelephantalaska@gmail.com
Local Government: Juneau (City and Borough of)
Community Council:
Latitude, Longitude: 58.360185, -134.570600
Physical Address: 8420 Airport Boulevard
Building B
Juneau, AK 99801
UNITED STATES

Licensee #1

Licensee Type: Entity
Alaska Entity Number: 10036013
Alaska Entity Name: Green Elephant, LLC
Phone Number: 907-321-5886
Email Address: greenelephantalaska@gmail.com
Mailing Address: PO Box 21315
Juneau, AK 99802
UNITED STATES

Affiliate #1

Licensee Type: Individual
Name: Richard Dudas
[redacted]
Date of Birth: 09/15/1972
Phone Number: 907-321-5886
Email Address: greenelephantalaska@gmail.com
Mailing Address: PO Box 21315
Juneau, AK 99802
UNITED STATES

Affiliate #2

Licensee Type: Individual
Name: Jennifer Canfield
[redacted]
Date of Birth: 03/03/1984
Phone Number: 907-209-7663
Email Address: greenelephantalaska@gmail.com
Mailing Address: PO Box 21315
Juneau, AK 99802
UNITED STATES

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h ne: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An perating plan is required f r all marijuana establishment license applications. Applicants should review **Title 17.38** of **Alaska Statutes** and **Chapter 306** of the **Alaska Administrative Code.** This f rm will be used to document how an applicant intends t meet the requirements f th se statutes and regulati ns. If y ur business has a formal operating plan, y u may include a c py of that operating plan with y ur applicati n, but all fields of this f rm must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the pr p sed premises will comply with applicable statutes and regulations regarding the following:

- Security
- Inventory tracking f all marijuana and marijuana product on the premises
- Empl yee qualificati n and training
- Waste disp sal
- Transp rtation and delivery of marijuana and marijuana products
- ignage and advertising
- Control plan f r persons under the age of 21

Applicants must als complete the c rresponding operating plan supplemental f rms (**Form MJ-03, Form MJ-04, Form MJ-05,** or **Form -06)** t meet the additi nal operating plan requirements for each license type.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified n the license applicati n.

icensee:	Green Elephant LLC	**License Number:**	11384		
License Type:	Standard Cultivation				
Doing Business As:	Green Elephant LLC				
Premises Address:	8420 Airport Boulevard, Building B				
City:	Juneau	**State:**	ALASKA	**ZIP:**	99801

Mailing Address:	PO Box 21315				
City:	Juneau	**State:**	ALASI	**ZIP:**	99802

Primary Contact:	Richard Dudas		
Main Phone:	907-321-5886	**Cell Phone:**	same
Email:	greenelephantalaska@gmail.com		

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Security

Review the requirements under 3 AAC 306.710 – 3 AAC 306.720 and 3 AAC 306.755, and identify how the pr p sed premises will meet the listed requirements.

Describe how the proposed premises will c mply with each of the following:

Restricted Access Areas (3 AAC 306.710):

Describe how you will prevent unescorted members of the public from entering restricted access areas:

All restricted access areas will be readily accessible only by employees with proper clearance. Guests will be required to sign in and have a visitor pass visibly pinned to their shirt or hanging from a lanyard around their neck.

Each entrance to the building will also include signage in accordance with 3 AAC 306.710. "Restricted access area. Visitors must be escorted," "No Loitering," and "Persons under 21 are not allowed on premises."

Describe your processes for admitting visitors into and escorting them through restricted access areas:

All visitors must show ID, proving that they're 21 or older. Each guest will sign in on a log noting the date, their age, time of arrival and time of departure. Each visitor will be issued a visitor identification badge in exchange for their ID. Visitors are subject to approval by a manager or owner.

No more than five visitors will be admitted per employee. All logs will be secured within the safe room for safekeeping.

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your recordkeeping of visitors who are escorted into restricted access areas:

A log will be kept detailing the name, age, date and time of entry and departure for each visitor. Visitors will be required to sign the log and agree to additional terms yet to be fully determined. Each day's log will be secured in a locked file cabinet in the safe room. Paper logs will be digitized regularly.

Provide a copy of a sample identification badge to be displayed by each licensee, employee, or agent while on the premises:

See next page, Supplemental A.

Green Elephant Gardens

EMPLOYEE

PHOTO

Jane A. Smith
Handler Cert. #12345
Expires 07/2019

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Security Alarm Systems and ock Standards (3 AAC 306.715):

Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

There are currently two lights on the back side of the facility and one on the front. An additional light on the front side will be installed, as will two lights on each side of the building. These lights will be sufficient to light the area beyond 20 feet. Ambient lighting from surrounding buildings will greatly enhance visibility far beyond what is required.

An alarm system is required for all license types. Describe the security alarm system for the proposed premises:

The security alarm will be installed on all exterior doors and will be activated when the licensed premises is closed for business. Motion detection alarms will be installed throughout interior of the facility. These alarms will notify the owners and a security monitoring company and/or law enforcement if any intruders are detected during non-business hours.

The alarm system must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe how the security alarm system meets this requirement:

All exterior doors will have contact sensors that are activated when the facility is closed for the night. If doors are breached when the alarm is armed, the security system will auto dial the owners and a security monitoring company and/or law enforcement. There is one ground-level window which in the short-term is secured and obstructed so as not to be functional or penetrable. The owner of the building plans to remodel the outside of the building soon and will remove the window at that time.

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures for preventing diversion of marijuana or marijuana product:

Security cameras will monitor all indoor work spaces and storage areas. Employees will be subject to search if suspected of theft or diversion of product. Green Elephant will have a zero tolerance policy for theft and employees guilty of such will be terminated immediately. Criminal charges may be filed.

The transport of marijuana will require either the sole presence of a licensee or two employees at a time. No cannabis will be brought into the facility unless it is state tested and tracked. All products will be stored and transported securely in accordance with state and local laws.

Describe your policies and procedures for preventing loitering:

No loitering signs will be posted near each entrance. Employees will be trained to recognize and disperse loiterers. We don't expect loitering to be an issue as there is no retail at the facility.

Describe your policies and procedures regarding the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the proposed premises:

Employees will be equipped with a wireless panic button. When pressed, the button will trigger alarms and send notifications to the owners and a security monitoring company and/or law enforcement officials. Security cameras will also be accessible for off-site monitoring via the internet.

Contact sensors and motion detectors will also be used as described on page 4, second question.

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security:

In the event of a breach of security during non-business hours, a designated manager or owner will assist law enforcement and provide access to relevant security footage. In the event of an incident while the facility is open, employees will attempt to evacuate, if safe and practicable to do so, and will activate panic switches to alert authorities. All security breaches will be logged with an incident report.

Video Surveillance (3 AAC 306.720):

All licensed marijuana establishments must meet minimum standards f r surveillance equipment. Applicants should be able t answer "Yes" t all items below.

Vide surveillance and camera rec rding system c vers the f ll wing areas f the premises:	Yes	
Each restricted access area and each entrance to a restricted access area	✓	☐
Both the interior and exterior of each entrance to the facility	✓	☐
Each point of sale area	✓	☐

Each video surveillance recording:	Yes	
Is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing	✓	☐
Clearly and accurately displays the time and date	✓	☐
s archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated		☐

Alc hol and Marijuana C ntrol ffice
550 West 7th Avenue, Suite 1600
Anch rage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
h ne: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Cameras will be placed to monitor external doors from the inside and outside of the facility, inside the secured room and throughout the cultivation, packaging and curing areas. Cameras outside the facility will be placed in such a way to ensure any activity within 20 feet of the building is captured.

There are two buildings adjacent to our facility. One is a commercial office building which has outdoor lighting and will soon be equipped with outdoor surveillance cameras. The other is a hotel which also has outdoor lighting and three outdoor surveillance cameras on its backside, which is facing our facility.

Describe the locked and secure area where video surveillance recording equipment and records will be housed and stored and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the board:

Video surveillance and official logs and records will be kept in a secured cabinet within the security room. Only owners and one trusted employee will be able to access the security room and secured cabinet. These people are the only ones authorized to escort law enforcement or an agent of the board to the secured cabinet for inspection. The cabinet will be made of metal and will have a secure lock.

Location of Surveillance Equipment and Video Surveillance Records:	Yes	
Surveillance ro m or area is clearly defined on the premises diagram	✓	☐
Surveillance rec rding equipment and video surveillance rec rds are housed in a designated, locked, and secure area or in a lock b x, cabinet, closet or other secure area	✓	☐
Surveillance rec rding equipment access is limited to a marijuana establishment licensee r auth rized empl yee, and t law enf rcement personnel including an agent of the b ard	✓	☐
Vide surveillance records are stored ff-site	✓	☐

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Form MJ-01: Marijuana Establishment Operating Plan

Business Records (3 AAC 306.755):

All licensed marijuana establishments must maintain, in a format that is readily understood by a reas nably prudent business pers n, certain business rec rds. Applicants should be able to answer "Yes" to all items bel w.

Business Records Maintained and ept on the icensed Premises:	Yes	No
All books and records necessary to fully acc unt f r each business transacti n c nducted under its license for the current year and three preceding calendar years; rec rds f r the last six m nths are maintained on the marijuana establishment's licensed premises; older records may be archived on or off-premises	✓	
A current employee list setting out the full name and marijuana handler permit number of each licensee, empl yee, and agent who works at the marijuana establishment	✓	
The business c ntact inf rmati n f r vendors that maintain vide surveillance systems and security alarm systems for the licensed premises	✓	
ec rds related to advertising and marketing	✓	
A current diagram of the licensed premises including each restricted access area	✓	
A log recording the name, and date and time of entry of each visitor permitted into a restricted access area	✓	
All records normally retained for tax purposes	✓	
Accurate and comprehensive inventory tracking records that acc unt for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a c nsumer, to another marijuana establishment, or destroyed	✓	
Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f)	✓	

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Form MJ-01: Marijuana Establishment Operating Plan

A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

As previously mentioned, all important and official documents will be secured in a cabinet within the security room. Only a few people will have access the locked cabinet. Video surveillance will be backed up nightly to an off-site server. Paper records will regularly be digitized for long-term safekeeping.

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Form MJ-01: Marijuana Establishment Operating Plan

Section 3 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730, and identify how the pr p sed establishment will meet the listed requirements.

All licensed marijuana establishments must use a marijuana invent ry tracking system capable of sharing inf rmati n with the system the board implements to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a product, t a c mpleted sale f marijuana or marijuana pr duct, r disposal f the harvest batch of marijuana or production l t f marijuana product.

Applicants should be able to answer "Yes" to all items below.

Mari uana Tracking and Weighing:	Yes	No
A marijuana inventory tracking system, capable of sharing information with the system the board implements to ensure tracking f r the reasons listed above, will be used	☑	☐
All marijuana delivered to a marijuana establishment will be weighed on a scale certified in compliance with 3 AAC 306.745	☑	☐

Describe the mari uana tracking system that you plan to use and how you will ensure that it is capable of sharing information with the system the board implements:

Our business will use Metrc by Franwell as required by the State of Alaska. The system will track cannabis from seed to sale. This system is fully accessible to state officials at any time. We may utilize a backup tracking system such as Kind, which is a cannabis compliance/business software popular in the industry and integratable with Metrc.

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Form MJ-01: Marijuana Establishment Operating Plan

Section 4 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700, and identify how the pr p sed establishment will meet the listed requirements.

A marijuana establishment and each licensee, employee, r agent f the marijuana establishment who sells, cultivates, manufactures, tests, r transports marijuana or a marijuana pr duct, r who checks the identificati n f a c nsumer r visit r, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

Applicants should be able to answer "Yes" to all items below.

arijuana Hander Permit:	Yes	No
Each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or wh checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning empl yment at the marijuana establishment	☑	☐
Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the premises f a retail marijuana st re, marijuana cultivati n facility, or marijuana product manufacturing facility) when on the licensed premises	☑	☐
Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that pers n's marijuana handler permit card is valid and has not expired	☑	☐

Describe how your establishment will meet the requirements for employee qualifications and training:

All employees will have state sanctioned marijuana handlers permits before their first day of work. Expiration dates on handlers permits will be noted electronically and employees will be given ample notice to renew their permit. Employees with expired permits will not be allowed to work until their permit status has been updated.

Employees will also be trained on the aforementioned safety and security procedures.

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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740, and identify how the pr p sed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to the statement bel w.

arijuana Waste Disposal:	Yes	No
The marijuana establishment shall give the board at least 3 days notice in the marijuana inventory tracking system required under 3 AAC 306.730 before making the waste unusable and disposing of it	☑	☐

Describe how you will store, manage, and dispose of any solid or liquid waste, including wastewater generated during mari uana cultivation, production, process, testing, or retail sales, in compliance with applicable federal, state, and local laws and regulations:

Plant waste will be stored in a locked container placed against the backside of the building. It will remain there for 72 hours after notifying the state through Metrc. Plant waste will then be ground and added to a compost tea solution* for use in the garden. Used soil will be re-amended for further use. Wastewater will be used to water outdoor landscaping.

*Our understanding of state regulations leads us to believe that this is an allowed method for disposing of cannabis waste. However, we were advised by an AMCO staff member to flag this part of our operating plan so that it may be considered further by the board. We seek your approval of this method.

Describe what material or materials you will mix with the ground mari uana waste to make it unusable:

Commercially, compost tea is typically created with a starter Ñ a powder that when added to water creates an ideal environment for the biological functions of composting. The compost tea Ñ as opposed to other relatively dry compostable materials Ñ acts as a catalyst, breaking down the cannabis waste quickly. Compost tea is then used to fertilize living plants.

Should any plant waste not be suitable for the compost tea solution, it will instead be mixed with an equal portion of other compostable materials and transported securely to the landfill. The wasteê final destination will be documented regardless of disposal method.

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Form MJ-01: Marijuana Establishment Operating Plan

Mari uana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves the mari uana establishment. Describe the process or processes that you will use to make the mari uana plant waste unusable:

First, we will notify the state three days in advance of disposing of any marijuana material by using the Metrc tracking system. Ground cannabis plant waste will be mixed into a compost tea solution. Once mixed, the plant matter is not recoverable.

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Form MJ-01: Marijuana Establishment Operating Plan

Section 6 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750, and identify how the pr p sed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to all items below.

arijuana Transportation:	Yes	No
The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700	✓	
The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, m del, and license plate number of the transporting vehicle	✓	
The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport	✓	
During transport, any marijuana or marijuana product will be in a sealed package or container in a l cked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will n t be opened during transport	✓	
Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment	✓	
When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received	✓	
The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not acc mpanied by the transport manifest	✓	

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Form MJ-01: Marijuana Establishment Operating Plan

Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment:

Cannabis will be packaged and secured in child resistant, opaque containers or bags. Packaging will happen only in a secured, restricted access area. Labels will include required state warnings and testing information.

The cannabis flower may also be transferred in bulk, without individual packaging. In this case, each package of cannabis flower will be no larger than 5 pounds. The flower would then be individually packaged by the receiving facility or used for extracts.

When the cannabis is transferred to another licensed business, the person taking the product must have securable, lockable containers to transport the packages. Each package will have attached tracking and testing info.

Describe the type of locked, safe, and secure storage compartments that will be used in any vehicles transporting marijuana or marijuana product:

Securable and lockable containers will be required for any employee or vendor to transfer cannabis. These containers must be concealed during transit. An example of the container can be found on the next page, Supplemental B.

A certified marijuana handler must accompany the container at all times.

Electronics > Computers & Accessories > Networking Products

Pro Tuff Bin, Portable Tool Box by Contico

Rollover to Zoom

FREE Shipping and FREE Returns Details

$59.75

Buy 1 | Buy 2 | Buy 3 | Buy 4

Add to Cart

Like Pin it

This item is not eligible for promotions.

Description

Portable Tool Boxes, Portable Tool Box, Primary Tool Box Material Structural Foam, Nominal Outside Width 37 In., Nominal Outside Depth 21 In., Nominal Outside Height 20 In., Primary Tool Box Color Black, Number of Drawers 0, Storage Capacity 12,274 cu. in., Locking System Lock Cylinder, Weight Capacity 250 lb., Overall Width 37 In., Overall Depth 21 In., Overall Height 20 In., Matte Finish, Number of Pieces 1, Drawer Slides None, Number of Trays 0, Inside Width 315/8 In.

- Dimensions: Width: 37", Depth: 21", Height: 20"
- Interior Dimensions: 31.75" x 16.5" x 18.75"
- Great for tool storage - inside or out

Specifications

Color	Black

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Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Signage and Advertising

Describe any signs that you intend to post on your establishment with your business name, including quantity and dimensions:

There will be no signs advertising the name or nature of our business. The only signs that will be posted are those required by the State of Alaska, advising "No Loitering," "Restricted Access Area," and Persons under 21 are not allowed on premises.

f you are not applying for a retail mari uana store license, you do not need to complete the rest of Section 7, including Page 17.

Re riction on advertising of mari uana and mari uana products (3 AAC 306.360):

All licensed retail marijuana stores must meet minimum standards f r signage and advertising.

Applicants should be able to answer "Agree" t all items bel w.

advertisement for marijuana or marijuana product will contain any statement or illustration that:	Agree	Disagree
s false or misleading	✓	
Promotes excessive consumption	✓	
Represents that the use of mari uana has curative or therapeutic effects	✓	
Depicts a person under the age of 21 consuming mari uana	✓	
nclude an ob ect or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of mari uana	✓	

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Form MJ-01: Marijuana Establishment Operating Plan

advertisement for marijuana or marijuana product will be placed:	Agree	Disagree
Within one thousand feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21	✓	☐
On or in a public transit vehicle or public transit shelter	✓	☐
On or in a publicly owned or operated property	✓	☐
Within 1000 feet of a substance abuse or treatment facility	✓	☐
On a campus for post secondary education	✓	☐

ignage and r m ti nal Materials:	Agree	Disagree
understand and agree to follow the limitations for signs under 3 AAC 306.360(a)	✓	☐
The retail mari uana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of mari uana or mari uana products	✓	☐
All advertising for mari uana or any mari uana product will contain the warnings required under 3 AAC 306.360(e)	✓	☐

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Form MJ-01: Marijuana Establishment Operating Plan

Section 8 – Control Plan for Persons Under the Age of 21

Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

Signs stating "Persons under 21 are not allowed on premises" will be posted at all outside access points. Employees will be trained on how to spot fake or illegitimate identification cards. Each visitor's ID will be copied and archived with related logs.

Visitors to the facility will be subject to approval by an owner or manager. Non-employees will not be allowed into the facility without owner or manager approval, a valid identification and they must be accompanied by an approved employee.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Richard Dudas

Printed name

Subscribed and sworn to before me this 19 day of January, 2017.

STATE OF ALASKA
OFFICIAL SEAL
Elizabeth Parsons
NOTARY PUBLIC
My Commission Expires 08/08/2018

Notary Public in and for the State of Alaska.

My commission expires: 8-8-18

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Form MJ-01: Marijuana Establishment Operating Plan

(Additional Space as Needed):

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Alaska Marijuana Control Board

Form MJ-02: Premises Diagram

What is this f rm?

A detailed diagram of the proposed licensed premises is required for all marijua a establishment license applicatio s, per 3 AAC 306.020(b)(8). Your diagram must show all entrances and boundaries of the premises, restricted access areas, a d storage areas, and dime sio s. If your proposed premises is located withi a building or building complex that co tains multiple busi esses and/or te a ts, please provide an additional page that clearly shows the locatio of your proposed premises withi the buildi g or building complex, along with the addresses and/or suite numbers of the other businesses and/or te a ts withi the buildi g or buildi g complex. For those applying for a limited marijua a cultivatio lice se, the proposed area(s) for cultivatio must be clearly delineated.

The <u>second page</u> of this f rm is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted i lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any suppleme tal diagrams. A A C O employee may require you to complete the second page of this form if additional docume tation for your premises diagram is eeded.

This form must be completed and submitted to A C 's main ffice bef re any license applicati n will be considered complete.

	Yes	o
I have attached blueprints, CAD drawings, or other supporti g docume ts in addition to, or i lieu of, the second page of this form.	☑	☐

Section 1 – Establishment Information

Enter i formation for the business seeki g to be licensed, as ide tified o the lice se applicatio .

icensee:	Green Elephant LLC	**License umber:**	11384		
License Type:	Standard Cultivation				
Doing Business As:	Green Elephant LLC				
Premises Address:	8420 Airport Boulevard, Building B				
City:	Juneau	**State:**	AK	**ZI :**	99801

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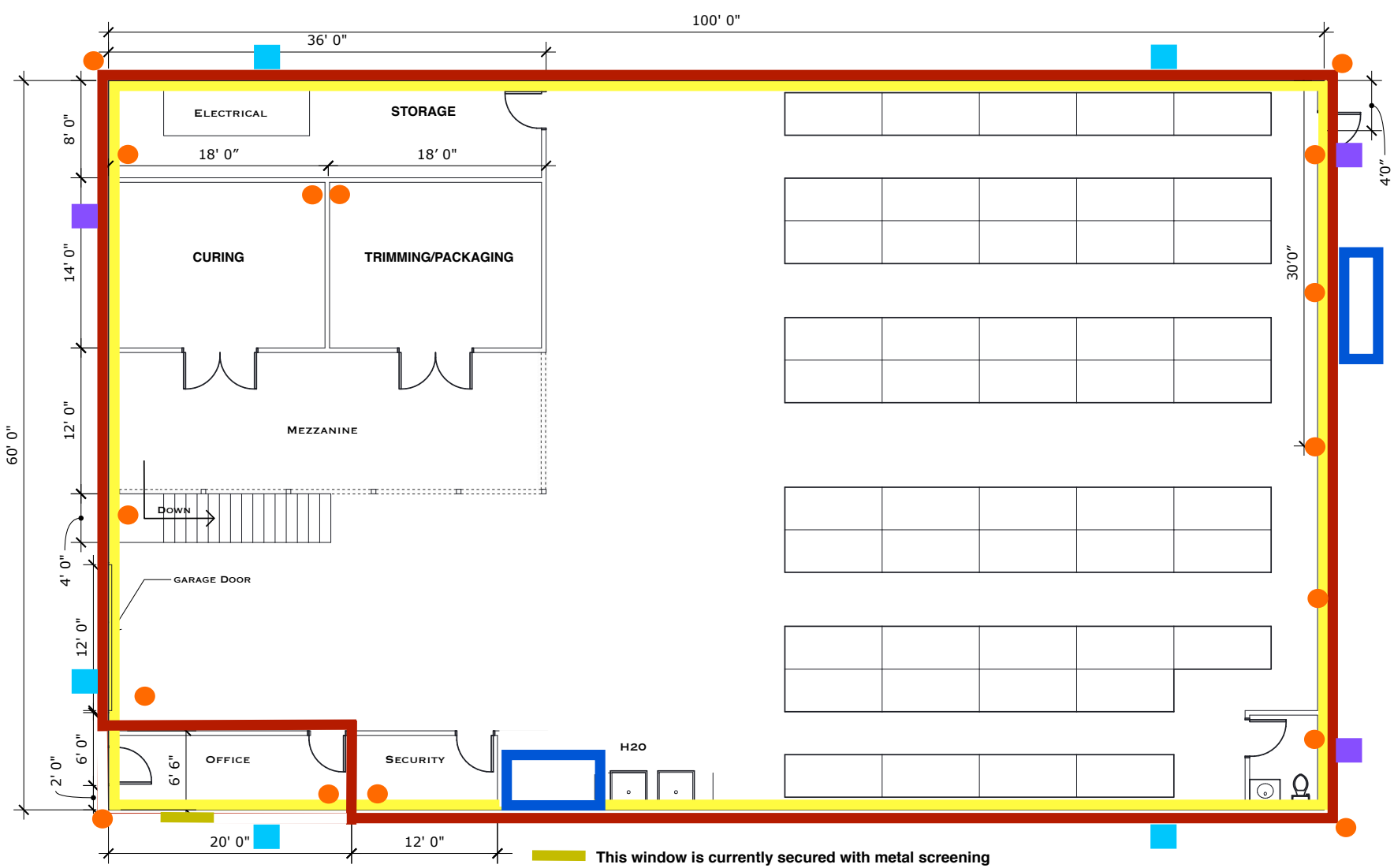
Form MJ-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the bou daries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of a y enclosed areas o the proposed premises. Clearly ide tify all e tra ces, walls, partitio s, cou ters, windows, areas of ingress a d egress, restricted access areas, and storage areas. Include dime sio s i your drawing. Use additional copies of this form or attached additional documents as eeded.

See attached.



This window is currently secured with metal screening and is not functional. The window will be removed soon when the owner remodels the outside of the building.

CAMERA

EXISTING LIGHTS

NEW LIGHTS

Licensed Premises

SECURE WASTE STORAGE/COMPOST TEA

RESTRICTED ACCESS AREA

Floor Plan

1/8"= 1'0"

Drawing by: Rich Stone

Date January 6th, 2017 Version 2

PROJECT Muddy Paws Buildout

DESCRIPTION Floor Plan

a

01

COVERED OIL TANK

11.1

LOADING 12'x30'

loading

Green Elephant parking

LOADING 12'x30'

ADJACENT 6,000 S.F. STORAGE BUILDING

(Parcel # 5B1501010030)

11.0

8.9

20' ROW

N0°21'W 347.60

LANDSCAPING: 174 S.F.

LANDSCAPING: 554 S.F.

30' LOADING SPACE

30' LOADING SPACE

DUMPSTER YARD 12' x 16' CONC. PAD

LANDSCAPING: 1,270 S.F.

BLD 2010-00166

Parcel # 5B1501010020

Tract C, Block J,

Valley Centre Subdivision

LANDSCAPING: 1,210 S.F.

LANDSCAPING: 1,272 S.F.

10 FT. SET BACK

VAN

GRASS 145 S.F.

GRASS 145 S.F.

(2) 8'-6" SPACES (1) 8'-0" VAN SPACE 33'-0"

(5) 8'-6" SPACES 42'-6"

(7) 8'-6" SPACES 59'-6"

(4) 8'-6" SPACES 34'-0"

34'-0" (4) 8'-6" SPACES

119'-0" (14) 8'-6" SPACES

LIGHT POLE-MATCH CAMPUS FIXTURE

4-19-10

4-19-10

3 FT. MINIMUM-(49 .25.430-4c-i)

2 FT. MINIMUM-(49 .25.430-4a)

GRASS 184 S.F.

GRASS 100 S.F.

LIGHT POLE-MATCH CAMPUS FIXTURE-SET POLE ON CONC. BASE-30" A.F.F.-TYP.

REMOVE EXISTING STORAGE BUILDING

EDGE OF NEW PAVING

EDGE OF NEW PAVING

TWO WAY

TWO

35'-8"

11'-6"

6'-4"

125'-0"

MAIN PARKING LOT:

PARKING NOTE:

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Alaska Marijuana Control Board

Form MJ-08: Local Government Notice Affidavit

What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to the local government and any community council in the area of the proposed licensed premises. For purposes of this notification, the document that must be submitted is the application document produced by the online application system titled "Public Notice".

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Green Elephant LLC	**License Number:**	11384		
License Type:	Standard Cultivation				
Doing Business As:	Green Elephant LLC				
Premises Address:	8420 Airport Boulevard, Building B				
City:	Juneau	**State:**	AK	**ZIP:**	99801

Section 2 – Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government official and community council (if applicable):

Local Government: City and Borough of Juneau
Name of Official: Laurie Sica
Title of Official: Municipal Clerk
Date Submitted: 11/8/16
Community Council: N/A
Date Submitted: N/A
(Municipality of Anchorage and Matanuska-Susitna Borough only)

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief, find it to be true, correct, and complete.

Signature of licensee

Richard Dudas
Printed name of licensee

STATE OF ALASKA
OFFICIAL SEAL
Elizabeth Parsons
NOTARY PUBLIC
My Commission Expires 08/08/2018

Notary Public in and for the State of Alaska

My commission expires: 8-8-18

Subscribed and sworn to before me this 19 day of January, 2017.

Presented by: The Manager
Introduced: May 15, 2017
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-986

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $65,000 be transferred:

From: CIP

W75-046	SCADA Upgrades CIP	$65,000

To: CIP

W75-036	Areawide Water Main Repairs CIP	$65,000

The $65,000 consists of:

Water Utility Revenues	$65,000

Moved and Approved this_____day of _____, 2017.

_____
D. Rorie Watt, City Manager

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: May 15, 2017
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NUMBER T-987

It is hereby ordered by the Assembly of the City and Borough of Juneau, Alaska, that $270,000 be transferred:

From: CIP

Project No.	**Transfer From**	**Transfer**
P46-047	Montana Creek Bike Trail	$8,932
P46-099	P&R Department Review	25,521
P46-070	LCB Mining Museum Ped. Bridge	16,402
P41-027	Fish Creek Improvements	40,288
P41-059	Parks & Playground Improvement	178,857
	Total Transfer	**$270,000**

To: CIP

Project No.	**Transfer From**	**Transfer**
P41-090	Bridge Park	$270,000
	Total Transfer	**$270,000**

The Transfer amount of $270,000 consists of:

Sales Tax General Revenues	$228,077
Sales Tax Areawide Revenues	$41,923

Moved and Approved this_____day of _____, 2017.

_____
D. Rorie Watt, City Manager

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced: April 5, 2017
Drafted by: Finance

Ordinance of the City and Borough of Juneau

Serial No. 2017-07

An Ordinance Appropriating Funds from the Treasury for FY18 School District Operations

Section1. Classification. This ordinance is a non-code ordinance.

Section 2. Estimated Funding Sources. The following amounts are the estimated funding sources for the City and Borough of Juneau School District, for the fiscal year beginning July 1, 2017, and ending June 30, 2018. It is anticipated that these estimated funding sources will meet the appropriations set forth in Section 3 of this ordinance.

ESTIMATED REVENUE:	
State Support	$ 47,053,900
Federal Support	5,304,400
User Fees, Permits, and Donations	3,724,900
Student Activities Fundraising	1,950,000
Total Revenue	**$ 58,033,200**
TRANSFERS IN:	
General Governmental Fund School District Support:	
Operations	26,010,200
Special Revenue	185,000
Student Activities	740,700
Total Transfers In	**$ 26,935,900**
Fund Balance Decrease	2,298,100
Total Estimated Funding Sources	**$ 87,267,200**

Section 3. Appropriation. The following amounts are hereby appropriated for the fiscal year beginning July 1, 2017, and ending June 30, 2018.

APPROPRIATION:	
General Operations	$ 72,020,700
Special Revenue	7,164,400
Other	8,082,100
Total Appropriation	**$ 87,267,200**

Section 4. Effective Date. This ordinance shall be effective immediately upon adoption.

Adopted this ___ day of ___, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-09

An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of a Portion of USS 1568 TR B, Locally Known as Honsinger Pond, from Rural Reserve to Industrial.

WHEREAS, the CBJ Comprehensive Plan supports the need for more industrial land; and

WHEREAS, the CBJ Comprehensive Plan specifically states that former gravel extraction areas, including the subject property, are expected to be available for development; and

WHEREAS, the Comprehensive Plan identifies the subject property proposed for rezoning as Resource Development (RD); and

WHEREAS, the Resource Development definition states that as resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately; and

WHEREAS, the Comprehensive Plan states that the Industrial zoning district is most compatible with properties adjacent to the Juneau International Airport; and

WHEREAS, the contemplated rezone substantially conforms to the maps of the Comprehensive Plan.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to the Official Zoning Map. The official zoning map of the City and Borough, adopted pursuant to CBJ 49.25.110, is amended to change the zoning of a portion of USS 1568 TR B, locally known as Honsinger Pond, from Rural Reserve to Industrial.

The described rezone is shown on the attached Exhibit "A", which illustrates the area of the proposed zone change and contains a legal description of the property to be rezoned.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

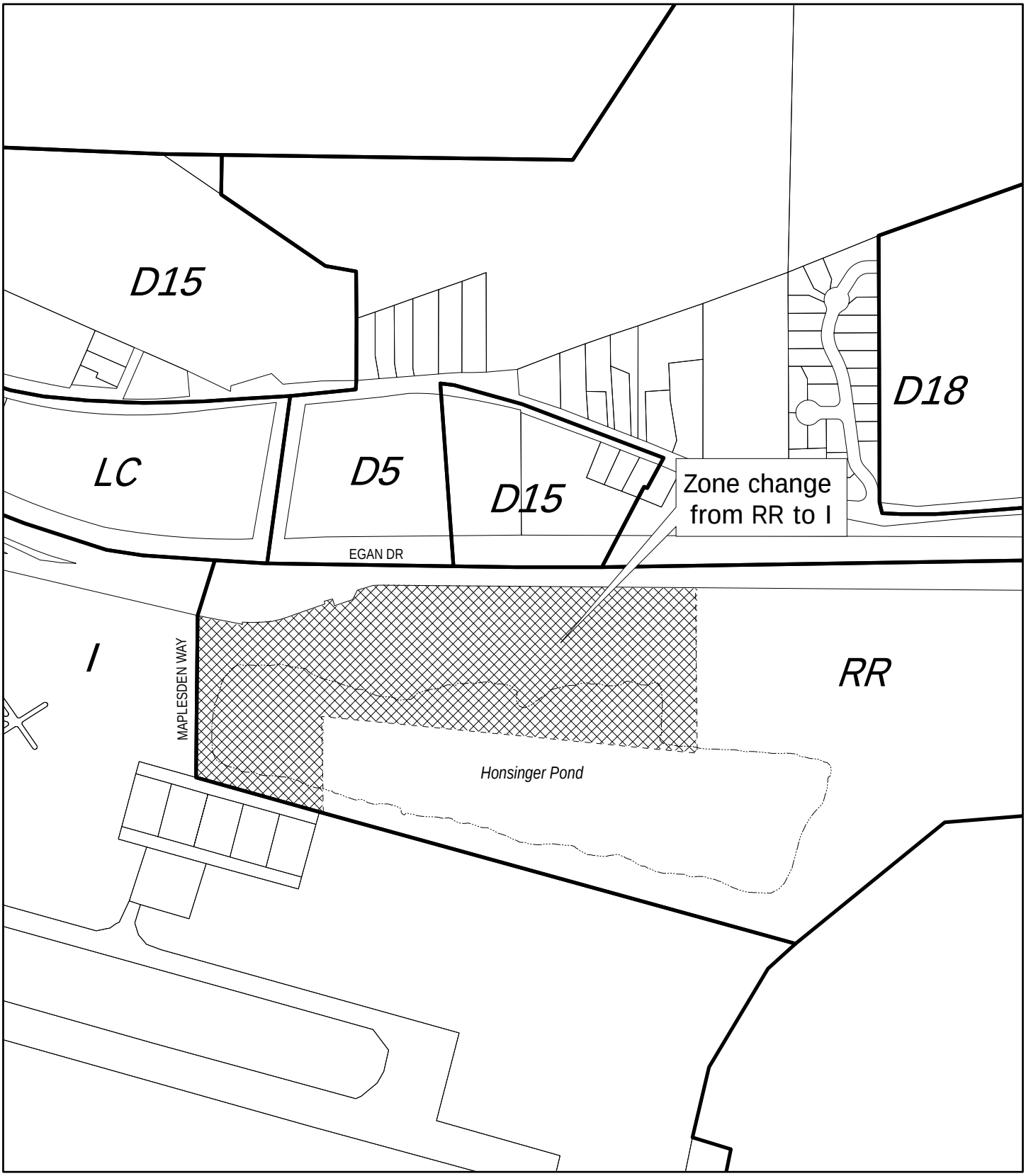

EXHIBIT A Ord.
No. 2017-09

Zone change for portion of
USS 1568 TR B from RR to I

0 250 500 1,000
Feet

N
W E
S

LEGAL DESCRIPTION

FOR

A Portion of Tract B, USS 1568 within Section 32, Township 40 South, Range 66 East, Copper River Meridian, Juneau, Alaska

A legal description of a portion of land described as Tract B, USS 1568, lying within the South half of Section 32, Township 40 South, Range 66 East, Copper River Meridian, within the Juneau Recording District, First Judicial District, Juneau, Alaska, more particularly described as:

Commencing at the Northeast corner of Tract B, USS 1568, shown as C76 on the record plat 85-83-BS, JRD, on the Right-of-Way of Egan Drive ; thence a bearing of S00°01'26"E, a distance of 909.55 feet; thence a bearing of S83°42'44"W, a distance of 514.59 feet; thence a bearing of S48°09'14"W, a distance of 712.80 feet; thence a bearing of N75°09'26"W, a distance of 1,937.79 feet to the **Point of Beginning**; thence a bearing of N75°09'26"W, a distance of 499.66 feet to a point on the easterly Right-of Way of Maplesden Way; thence along the easterly Right-of-Way of Maplesden Way, a bearing of N00°01'27"W, a distance of 644.08 feet; thence along the southerly Right-of-Way of Yandunkin and Egan Drive, a bearing of S78°34'16"E, a distance of 114.72 feet; thence a bearing of S11°21'12"W, a distance of 20.00 feet; thence along a non-tangent curve to the left having a Delta angle of 29°19'24", a radius of 142.00 feet, a length of 72.67 feet, and a chord bearing of N86°41'40"E, a distance of 71.88 feet; thence along a non-tangent curve to the left having a Delta angle of 23°54'13", a radius of 548.35 feet, a length of 228.77 feet, and a chord bearing of N82°18'27"E, a distance of 227.12 feet; thence a bearing of N19°41'36"W, a distance of 10.00 feet; thence a bearing of N70°21'15"E, a distance of 121.89 feet; thence a bearing of N19°38'39"W, a distance of 10.00 feet; thence a bearing of N70°21'15"E, a distance of 36.00 feet; thence a bearing of S19°39'15"E, a distance of 30.01 feet; thence a bearing of N70°24'09"E, a distance of 74.64 feet; thence a bearing of N26°26'59"E, a distance of 42.11 feet; thence along a non-tangent curve to the right having a Delta angle of 5°00'22", a radius of 1011.74 feet, a length of 88.40 feet, and a chord bearing of N75°13'47"E, a distance of 88.37 feet; thence a bearing of N88°53'11"E, a distance of 1,178.56 feet; thence a bearing of South, a distance of 651.51 feet; thence a bearing of N85°00'37"W, a distance of 1,432.42 feet; thence a bearing of South, a distance of 389.19 feet to the **Point of Beginning.**

Containing 1,141,552.97 Square Feet, more or less, or 26.21 Acres, more or less.

Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

PLANNING COMMISSION

NOTICE OF RECOMMENDATION ****REVISED****

Date: March 6, 2017
File No.: AME2016 0007

City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Application For:	A request to rezone 23 acres of an 83 acre parcel from Rural Reserve to Industrial zoning.
Legal Description:	USS 1568 Tract B
Parcel Number:	5-B14-0-102-007-0
Property Address:	Yandukin Drive
Hearing Date:	January 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 12, 2017 and recommended that the City and Borough Assembly adopt staff's recommendation to rezone 23 acres of an 83 acre parcel from Rural Reserve to Industrial Zoning, with the following condition:

1. Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

Attachments: January 12, 2017 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding AME2016 0007.

This Notice of Recommendation constitutes a recommendation of the City & Borough of Juneau Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

Project Planner: _____
Teri Camery, Senior Planner
Community Development Department

_____
Benjamin Haight, Chair
Planning Commission

_____
Filed With City Clerk

3/6/2017
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
January 24, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:06 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Percy Frisby, Nathanial Dye, Dan Hickok, Kirsten Shelton-Walker, Carl Greene

Commissioners absent: Mr. Miller, Mr. LeVine

Staff present: Beth McKibben, Planning Manager; Teri Camery, Senior Planner; Jill Maclean, Senior Planner; Robert Palmer, Assistant Attorney II

Assembly members: Debbie White, Loren Jones

II. APPROVAL OF MINUTES

December 27, 2016, Draft Minutes – Regular Planning Commission Meeting

MOTION: *by Mr. Dye, to approve the minutes from the December 27, 2016 Planning Commission regular meeting with any minor corrections by staff or Commission member.*

The motion passed with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIASON REPORT

Assembly liaison to the Planning Commission Debbie White reported that next Monday, January 30, (2017) at 6:30 p.m. there will be a joint meeting between the Assembly and the

Planning Commission. Next Wednesday, February 1, the Assembly will hear the SEAL trust (Southeast Alaska Land trust) appeal. Last night was a long meeting for the Assembly with two items on the agenda: an ordinance banning camping in downtown Juneau and the reaffirmation by the Assembly of a Juneau access road and the protection of state funds allotted for that project. The resolution for the access road past six to three, said Ms. White.

Commission Comments and Questions
Mr. Voelckers asked if the Assembly has discussed any items that will be addressed at the joint meeting of the Planning Commission and the Assembly and if there were any topics which Commission members should be exploring for that meeting.

Ms. White replied that she has not seen an agenda posted yet.

Ms. McKibben said she believed the CDD (Community Development Department) Director was hoping there would be time during the mutual meeting to discuss the access and frontage ordinance as well as legislative priorities. There are items within Title 49 which would be ripe for discussion between the two bodies which could be prioritized at that meeting, said Ms. McKibben.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA - None

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

AME2016 0007: A request to rezone 23 acres of an 83 acre parcel from Rural Reserve to Industrial zoning.
Applicant: Bicknell Inc.
Location: Honsinger Pond Area

Staff Recommendation
Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommends that the rezone request to change 23 acres to Industrial be approved with the following condition:

1. Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ

Code 49.15.424.

Mr. Hickok said he is personal friend of Mr. Bicknell and that Mr. Bicknell has a fuel account at his business.

Mr. Greene said he has a personal relationship with the individual presenting the item before the Commission.

The Commission members voiced their opinion that there was no conflict perceived with either Commission member remaining on the Commission for this item.

Ms. Camery told the Commission the staff review of rezones is strictly focused on code requirements. She said while the staff recognizes that there may be broader issues with this property held by some members of the public, that the staff focuses only on the relevant code requirements.

The property is located across Egan Drive from Fred Meyers and access is gained from a driveway located on Yandukin Way that is on the Egan onramp, said Ms. Camery. The total property is almost 83 acres and it is currently zoned as Rural Reserve (RR). The Comprehensive Plan land use designation is for resource development, said Ms. Camery. The property has city water and sewer, she said. The existing use is an old dredge pond, and is now essentially vacant property, she said.

The staff has reviewed Title 49 and the portion addressing restrictions on rezoning. Rezoning must be for a property over two acres or an expansion of an existing zone, explained Ms. Camery. The 23 acre parcel up for rezone is obviously more than two acres, and it is also adjacent to an Industrial zone, she noted. A rezone request cannot have been considered 12 months previous to the current request, and this rezone request has not been made within 12 months, noted Ms. Camery.

A rezone can only be approved based upon a finding that the proposed zoning district and the uses allowed are in substantial conformance with the Land Use Maps of the Comprehensive Plan, said Ms. Camery. This land was initially used in the 1960's as a gravel pit to support construction of Egan Drive, said Ms. Camery. There was a previous rezone request for this land to be rezoned to a mix of Industrial, Light Commercial and Rural Reserve in 2013, she noted. The Planning Commission denied that request and that ruling was subsequently upheld by the Assembly, she said. The previous proposal called for 26 acres of General Commercial, 20 acres zoned Industrial, with the remaining acreage remaining as Rural Reserve, she said.

The motocross park has nothing to do with this rezone request and will be addressed as its own issue at another time, said Ms. Camery. The primary focus of the code requirements is a

conformance with the Comprehensive Plan Land Use maps, said Ms. Camery. The Comprehensive Plan land use map designation is resource development, defined as:

Resource development is described as land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. Such specific uses may include, where appropriate, resource extraction and development, recreational and visitor oriented facilities and residential uses.

The Comprehensive Plan Resource Development designation indicates that "as resources are identified or extracted from these lands, they should be redesignated and re-zoned appropriately", said Ms. Camery. Gravel extraction has been completed on this site, she noted. Therefore, a rezone from Rural Reserve to Industrial is appropriate and is in substantial conformance with the Comprehensive Plan, said Ms. Camery. Chapter 11 of the Comprehensive Plan Land Use Map states that in considering a rezone request they should aim to promote the highest and best use of the land, said Ms. Camery.

The requested rezone to Industrial would allow for the increased use of the property which is a centrally located area adjacent to Egan Drive and the Airport, said Ms. Camery. The staff concludes that the rezone of this land to Industrial is in compliance with the Comprehensive Land Use Maps, she noted.

This property does have a high scenic value to the residents, noted Ms. Camery. Staff did also study the Comprehensive Plan Scenic View Shed Corridor maps, she noted. This property is adjacent to a scenic view shed corridor, she said, but it is not within such a corridor. The definition for a scenic view shed corridor indicates that it is a designation for public land, not private land, said Ms. Camery. Therefore the scenic corridor designation does not apply to the property in question, she noted.

There are many Comprehensive Plan policies which apply to this property, said Ms. Camery. Several chapters address the need for additional Industrial zoned land, she said. Old gravel sites are specifically named as areas for future development, said Ms. Camery. Chapter 5 on area development stipulates that areas around gravel extraction sites can convert to Industrial districts once the land is leveled and gravel extraction is complete, she said. Ms. Camery read a portion of the Comprehensive Plan which states that other land that had previously been designated for future park use near the airport and for resource development is expected to be available for development in the long term.

Ms. Camery noted that Chapter 8 in the Transportation section in the Comprehensive Land Use Plan contains an extensive section on the Juneau International Airport:

Typically, land surrounding an airport is placed in an industrial use designation, which is more compatible with the impacts of aircraft and the shipping functions of the airport: industrial

tenants are more tolerant of noise, dust, fumes, and traffic associated with airports than are residential neighbors. With a very limited number of buildable sites for residential and commercial uses in the borough, those uses have encroached into industrial buffers surrounding the airport, making vacant land for aviation related businesses more expensive and hard to find.

The 2015 Juneau Economic Development Plan is incorporated into the Comprehensive Plan within Title 49, noted Ms. Camery. It states that there should be an adequate supply of appropriately zoned land available for commerce and industry. This includes access to the land needed to support commercial, industrial, and other development, noted Ms. Camery. An appendix to this document also refers to the need for more industrial property, she added.

Staff also addressed compliance within the Title 49 Land Use Code, said Ms. Camery. The Rural Reserve zoning district is intended for land primarily in public ownership managed for the conservation and development of natural resources and for future community growth, said Ms. Camery.

The CBJ Land Use Code describes the Industrial zone in part as: the industrial district is intended to accommodate industrial activity which includes manufacturing, processing, repairing and assembly of goods. The rezone request does substantially comply with the Comprehensive Plan land use designation, noted Ms. Camery. Land zoned Rural Reserve (RR) is intended for large, public, vacant tracts of land outside the urban service area, she distinguished. The subject property is privately owned, not public, said Ms. Camery, and is within the urban service area boundary.

Ms. Camery showed the Commission a chart with a sample of uses from the Table of Permissible Uses (TPU) in the Land Use Code which shows in part what services may be included in the Rural Reserve zoned land and in Industrial zoned land. A number one on the chart indicates that a use may be allowed with a building permit and a three indicates that the use requires a Conditional Use Permit, she explained. A blank space indicates that a use is not allowed.

There are a number of significant uses such as manufacturing that have an additional requirement in Rural Reserve, said Ms. Camery. Footnote "T" in the Table of Permissible Uses requires association with a unique site-specific feature, she explained. In general, Industrial zoned properties provide more development opportunities than properties zoned rural reserve, she added. There is a 45 foot height limitation in land zoned Rural Reserve and no height limitation in land zoned Industrial, said Ms. Camery.

The staff has received one public comment against the proposed rezone, noted Ms. Camery. The project has received positive reviews from the CBJ Engineering Department, and the Wetlands Review Board stated it will comment when a specific project comes up on this land in the future. The property owner does have an Army Corps of Engineers permit to fill the

extraction pond, said Ms. Camery. They did receive extensive comments from both the Alaska Department of Transportation and Public Facilities and from representatives from the Juneau International Airport, said Ms. Camery.

The Juneau International Airport has concluded that the rezone is premature because some forms of development may interfere with aircraft safety. Ms. Camery noted that the staff observes that this is not relevant to the rezone itself and instead has to do with potential future development. The Community Development Department (CDD) already has a protocol in place to inform the Juneau International Airport of the development plans so that they may work with the applicant and the Federal Aviation Administration (FAA) as needed, she said.

The airport has noted that granting access to Maplesden Way may require reimbursement to the Federal Aviation Agency, said Ms. Camery, since the road section granted to the property owner would not be used exclusively for aviation. The road was initially built to access Temsco helicopters and it was later realigned with FAA funds, explained Ms. Camery.

The DOT (Department of Transportation and Public Facilities) has explained that any change or use or expanded use of the property will require an alternate access point because the Yandukin driveway access is not safe, said Ms. Camery. DOT considers the small point of access to the property that currently exists as part of the on ramp to Egan Drive, said Ms. Camery. DOT has stated that if the land use changes or the driveway is modified, that the property owner would be required to obtain a new driveway permit, said Ms. Camery. The on-ramp is controlled access and private drives are not allowed according to DOT, said Ms. Camery. DOT has noted that there is alternate access to the property via Maplesden, said Ms. Camery. DOT provided a list of safety issues which Ms. Camery read to the Commission:

- Left-hand turning vehicles from Egan northbound into the property could be stopped by southbound Yandukin traffic which may result in vehicles backing up across Egan

- Left-hand turning vehicles from the property onto Yandukin would have to watch northbound Egan traffic (those turning left to Yandukin) as well as southbound Yandukin traffic

- Right hand turning vehicles on to the Yandukin on-ramp would have to speed up to Egan speed

- Right hand turning vehicles from Yandukin into the property would stop those trying to gain speed to Egan

Without some form of alternative access the property owner would most likely be denied development on the property regardless of the zoning district, said Ms. Camery. Ms. Camery

explained that the staff recommends that Maplesden Way serve as the dedicated access to the parcel and recommends that the rezone be approved with the following condition:

1) Prior to the zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424

The condition refers to the above portion of the code because that section of the code sets the standards for designating a public right-of-way to a subdivision, explained Ms. Camery.

The Planning Commission options are to approve the request as submitted, deny the request as submitted, or recommend an alternative to the Assembly, explained Ms. Camery. She read through the three required staff findings, as follows:

1. The proposal meets the submittal requirements and the rezoning initiation, zone change restrictions, and procedural requirements of the CBJ Land Use Code.

2. Rezoning approximately 23 acres to the Industrial zoning district is in substantial conformance with the Land Use maps of the Comprehensive Plan, specifically Map G.

3. The proposed condition to require access from Maplesden Way or an alternative access approved by the CDD Director ensures that the rezone will protect public health, safety, and welfare.

Ms. Camery read staff's recommendation:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommends that the rezone request to change 23 acres to Industrial be approved with the following condition:

1. Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

Commission Comments and Questions
Mr. Frisby asked what the significance was on the Permissible Use Table of a "3" as opposed to a "3T" designation.

The "3" indicates that a Conditional Use Permit is required, said Ms. Camery. The "T" indicates a special association with a specific feature, she explained. The "T" applies only to the Rural Reserve zone, she explained.

Mr. Voelckers asked for the distinction of an RD designation (Resource Development) and its relevance for both an RR and an Industrial zone.

Ms. Camery read that Resource Development land is managed primarily to identify and conserve natural resources until specific land uses are identified and developed. The other key element in the definition is that as resources are identified or extracted from these lands they should be redesignated and rezoned appropriately. She said it is unusual to have Resource Development property and Rural Reserve property centrally located.

Mr. Voelckers asked what the underlying zoning was for the land in Lemon Creek.

Looking at the maps, Ms. Camery said it appears that upper Lemon Creek and some land along Egan still retains an RD designation.

Mr. Voelckers said he wanted to make sure they did not create a situation where they approved a rezone and then the Comprehensive Plan had to be updated to comply with the rezone.

Mr. Hickok asked if even though there is not a development proposal and they do not know what the land will be used for that they were supposed to decide whether the land be rezoned or not. He asked why this was to happen before the access component.

Ms. Camery explained that the rezone was setting the stage for a substantial amount of expanded development. The access presents a significant public safety concern, she added. DOT has determined that the current driveway access is not safe, said Ms. Camery. Without alternative access the applicant is essentially deprived of the use of his property, she said.

Mr. Hickok asked if the rezone could be approved without the access condition.

Ms. Camery replied that the Planning Commission certainly had the option to recommend against the proposed condition by the staff.

Ms. McKibben said if the comments from DOT are read it is clear that any other activities than what is currently occurring on the parcel will not receive a new driveway permit from DOT under the existing conditions, even if the current RR zoning remained in place.

Mr. Frisby asked if FAA would be willing to sell back the access road which is currently in place.

Ms. Camery said that the entire length of Maplesden Way is not needed for access to the property, only a portion of it. She said presumably the access would be established at a mutually agreed-upon location, with as little impact on the area as possible. There is a federal process to follow, she said.

Mr. Frisby he said he felt that theoretically access was already available for the property.

The applicant only has access to the property if there is no change of use, said Ms. Camery. If the applicant wants to modify his property at all either under RR or Industrial zoning then continued use of the driveway access would not be allowed, she said

Applicant
Attorney Dan Bruce spoke on behalf of the applicant. Mr. Bruce said the one item they did disagree with in the staff report is conditioning the rezone upon obtaining the alternative access. He said he felt that condition was premature as well as the concerns outlined by airport representatives. Any development that occurs after it is rezoned will have to have an approved access at that point. He said he would like to see the Commission adopt additional findings which are:

- The rezone is in substantial compliance with the Comprehensive Plan Land Use map designations
- That RD is an inappropriate land use designation for this property because it exists within the urban service area boundary
- The surrounding uses are consistent with an industrial zone designation
- The property is not within the scenic view shed
- The land not rezoned on this parcel acts as a buffer between the public and any development that may take place on the land zoned Industrial
- The property is ideally located for industrial development since it is within the urban service area boundary with utilities and a transportation infrastructure already in place
- There is a scarcity of Industrial zoned property within the urban service area

Mr. Bruce said that filling in the Honsinger pond is actually a benefit to the public and will act as a detriment to attracting wildlife to the area. The pond has no habitat value, said Mr. Bruce. He said that his client understands that any use of the property has to be compatible with the airport. The property lies outside of the current runway protection zone, said Mr. Bruce.

Commission Comments and Questions
Mr. Voelckers said it was his understanding from reading the applicant letter that only the 23 acres would need to be rezoned now and in the future. He said it appeared to him from the testimony of Mr. Bruce that there may be additional rezone requests in the future for more of the land parcel.

Mr. Bruce said they do not know at this time if additional land would be up for rezoning to Industrial. There are currently negotiations underway for a portion of the property to be sold to the SEAL (Southeast Alaska Land) Trust, he said. If there were to be additional rezone requests for a portion of the parcel they would be years down the road if at all, said Mr. Bruce.

Public Comment
Juneau resident Amy Paige said she had testified at the previous round of public hearings regarding this property rezone and said she was disappointed that all of the comments on that rezone request were not made available for this rezone request. Ms. Paige said she is opposed to the rezone request. She said she felt that industrial development in that area would seriously impact the appeal of the community for visitors arriving from the airport and would negatively impact the daily experience of Juneau residents who traveled by the property to town every day. She said she felt the rezone of this property would result in a significant rise in property value for the land owner. The applicant purchased the property knowing what the zoning was, said Ms. Paige.

Juneau resident Susan Erben said she is on the steering committee for the Lemon Creek Area Plan. She said she is learning a lot through this process. She told the Commission she felt that it was extremely important that the benefits of the land in its current state be judged by the positive visceral effect that its beauty has on Juneau residents and visitors. It is an uplifting experience for all residents to drive by that expanse of land every day and be touched by its beauty, she said. It is Juneau's natural beauty which appeals to tourists, said Ms. Erben. She said if Juneau eliminates its natural appeal it will lose its tourists.

Juneau resident Ken Nichols said he is an aviation airport consultant and has a contract with the Juneau International Airport for consultation. He said one very important point is that the Juneau International Airport is part of the City and Borough of Juneau. He said the airport provides a huge service for the community and has a great impact on the community. When the airport receives federal aid for its capital projects, the CBJ signs off on those grant assurances, said Mr. Nichols. There are a lot of different aspects involved in compatible land use around the airport such as wildlife, airspace and noise, he said.

Maplesden is not a right-of-way or a public road, said Mr. Nichols. In order to go through the process of disposing land there is a detailed process which includes federal registry notice from the headquarters Department with FAA, said Mr. Nichols. It can be and probably is a very

lengthy process, he said, to release a portion of Maplesden way for public access or for private access to an individual land owner. The staff recommendation to have access to the property via Maplesden may be misleading to the public and the applicant because the City does not have the final decision on release of any of that property, he said. That decision is up to the FAA, he said.

Commission Comments and Questions
Ms. Shelton-Walker said as she read a letter on this issue submitted by the Airport that there is a list of access choices to the property listed by the airport. One of those items is an updated appraisal on the property. She asked if Mr. Nichols could explain in more depth what this was and what it would accomplish.

Part of the process the FAA undergoes for the acquisition or disposal of property involves an appraisal of the property question, explained Mr. Nichols. The appraisal would allow a fair market value assessment of the property, he said.

Ms. Shelton Walker asked for elaboration on other points raised in the letter regarding necessary studies. The suggested study would provide an outline in addition to the comments that are provided to compile a list of requirements for proposed uses on the property and how they might be compatible, said Mr. Nichols. For example there are some items on the Table of Permissible Uses which are simply not compatible with an airport, said Mr. Nichols.

Ms. Shelton-Walker asked at what point in the process these requirements should be identified.

Mr. Nichols said from his point of view it would be valuable to have the compatible use study completed and in conjunction with whenever the proposed development came along.

Mr. Hickok asked if the FAA has to approve all of the buses which visit the Temsco helicopter site during the tourist season.

“Absolutely”, responded Mr. Nichols. The buses that go to Temsco are serving an aviation use. The road was actually constructed to accommodate bus parking along one side, he said.

Mr. Hickok asked if Mr. Nichols felt the FAA would make any alterations to the road such as widening the road or creating an access.

They have not had those discussions with FAA, said Mr. Nichols.

Mr. Voelckers said looking at the road in question it is hard to imagine that its drivability and safety would be affected by other adjoining uses.

Chairman Haight asked if going through the compatible land use analysis would also be required were the land to be maintained in its current zoning of Rural Reserve.

The recommendation to do a compatible land use analysis would help to define what could be done in the Rural Reserve, said Mr. Nichols.

Chairman Haight concluded the recommendation would be required whether the land remained zoned Rural Reserve or whether it was rezoned to Industrial.

Applicant
Mr. Bruce said the application for a rezone is an effort to raise this property to its highest and best use. That flows clearly out of the staff's analysis, he said. Industrial zoning is one of the most compatible uses for the area, he said. The applicant would welcome the opportunity to meet with representatives from the FAA or the airport to help guide them on incompatible uses for the land, said Mr. Bruce. Mr. Bruce said he did not see obtaining approval for the use or access of Maplesden Way as insurmountable.

Mr. Voelckers asked if Mr. Bruce could recap the options the City had explored for exchanging properties.

Mr. Bruce said there were settlement discussions between the applicant and the City during the prior proceedings. They were unable to come to an agreement as to the value of the property, he said. The idea of a land trade was eliminated very early in that process due to the City's position, said Mr. Bruce.

Mr. Bruce was asked if they had an access plan.

The only practical option is the negotiation of an agreement with the FAA to use Maplesden, he said.

Mr. Hickok asked if access had been addressed in the previous rezone application or if this was a new element with this rezone application.

Mr. Bruce said he did not think it was that big of an issue in the prior rezone process.
The thrust of the public opposition in the previous rezone application had to do with preservation of a view shed, he said.

Ms. McKibben said they did not receive comments from DOT that were substantial during the previous rezone application process. They were not aware of the access issues at that time, she said.

Mr. Dye said after reading the material he was not clear why access was required for the rezone. The point from the airport was that future development was not part of the rezone, he said.

That was a key point, said Ms. Camery. Staff's position is that the proposed rezone is consistent with the requested condition. The condition is necessary because without that there is not adequate infrastructure in place to support increased development, she added.

Any development would trigger the need for access, said Mr. Dye, whether that development would be proposed for the land zoned Rural Reserve or for the land would it be zoned Industrial.

Access to the property through Maplesden Way is an option, said Ms. Camery, but there may be other options open to the applicant, she said. She said that the staff report notes the option of a road through the Mendenhall Wetlands, though that access may not be practicable. She noted that the condition states "Maplesden Way or an alternate access approved by the Community Development Department Director."
Outside of the rezone request, said Mr. Dye, access to the property would need to be provided via a building permit. He asked if this was a correct supposition. He said that access would need to be provided through the building permit process whether it was a condition for the rezone or not.

The Community Development Department has a very specific responsibility for public safety reasons to ensure an alternate access when they know the rezone is for increased development, said Ms. Camery.

Part of their analysis of the rezone request is to ensure that there is adequate infrastructure to serve the future uses of the rezone, said Ms. McKibben.

Mr. Dye asked if it is common to see this kind of condition placed on a zone change. He said he did not recall seeing similar conditions in past rezone requests.

Ms. McKibben said they did one off of Sherwood Lane just a few months ago which was a condition to transition once the access was addressed. There was also a rezone request on Lee Street about seven years ago which predicated a rezone upon access, said Ms. McKibben.

Mr. Frisby asked why this rezone is before the Commission now when it may have been better to deal with the access issue prior to the rezone request.

Ms. Camery said they have been working on the access issue for many months. CDD has made every effort to get an access location established before bringing this rezone before the Planning Commission, she said. CDD was not able to finalize an access location and did not feel

that it was appropriate to keep the rezone on hold until that access location could be confirmed, she said. The rezone complies with the Comprehensive Plan in every other aspect and CDD felt with access named as a condition that they could proceed with the rezone request. If CDD had waited until access had been determined, staff did not feel that would be fair to the applicant, she said.

Mr. Frisby repeated his question again. He asked why they would proceed with the rezone request when access had not been determined. He said to him it felt like they were putting the cart before the horse.

Ms. Camery said the legal guidance that CDD staff has received is that this is an option and it is a process. FAA has not been contacted at this point, she said.

Mr. Frisby asked if the staff recommendations were approved by the Commission what the result would be in terms of property values.

This is a question for the City Assessor's office, noted Ms. McKibben. She said in the past on other rezones the City Assessor has indicated that generally the zoning is not what affects the value of the property. It is the use that occurs on the property, she added.

MOTION: *by Mr. Voelckers, to approve AME2016 0007 and adopt staff's findings, analysis and recommendations.*

Speaking in favor of this motion, Mr. Voelckers said this was not an easy decision to make. However, he said he felt the staff has done a good job of illustrating that there is a very specific intent language particularly in areas of resource extraction with the intent that land be returned to an industrial zone. He added he felt it was an appropriate use surrounding the airport. He said this is a beautiful land parcel that has touched the community's heart for years and that there had been hope that a compromise could be worked out between the City and the applicant. That compromise could not be reached and they now have an applicant who states that they owned the land and that it is in line with the Comprehensive Plan. Mr. Voelckers said this rezone seems appropriate. The applicant understands that access to the site has to be provided before it can be developed, said Mr. Voelckers.

Mr. Dye asked to make a friendly amendment that the condition be removed since it has to be addressed regardless before the property is developed. He said that condition seemed redundant.

Mr. Voelckers said he would not accept the friendly amendment of Mr. Dye. He said he felt the staff has made a good case that this is necessary for any kind of safe utilization of the property given DOT's firm denial of the use of any other driveway.

Mr. Dye said he felt it was redundant and that he had nothing else to add other than what has already been said on this topic.

Roll Call Vote: *(on Mr. Dye's proposed amendment to the main motion to remove the condition that access to the property be obtained as a condition of the rezone)*

Yeas: Shelton-Walker, Greene, Dye, Hickok

Nays: Frisby, Voelckers, Haight

The amendment failed.

Ms. Shelton-Walker asked if this property was approved for industrial zoning that there may not be a public process for the actual development and that it could go straight to the CDD Director for a decision.

Ms. Camery stated that building permits do not go out for public review but there would still be a public safety review and it would go before the airport as an interested party. The public is not notified about building permits, only Conditional Use Permits, and other requests that go to the Planning Commission such as variances, she said.

Chairman Haight reminded the Commission that Mr. Bruce had raised a number of additional findings to be placed in the rezone.

Mr. Voelckers said those were all good points and that he did not recommend them to be included in his motion as findings because they are already strongly enumerated in the staff report.

Roll Call Vote On the Main Motion:

Yeas: Greene, Shelton-Walker, Dye, Voelckers, Hickok, Haight

Nays: Frisby

The motion passed.

B. AME2016 0013: Text amendment to Title 49 to provide for reductions in parking requirements borough-wide via waiver(s).
Applicant: City & Borough of Juneau

Location: Borough Wide

Ms. Maclean said in answer to a question posed by Mr. Dye earlier in the day that most of the parking such as for single-family homes, or the mobile parks and the Planned Unit Developments are directly addressed in Title 49. Those types of developments are not specified in the current proposed ordinance because they are not being changed, she said.

Parking districts one and two (PD-1 and PD-2) in the downtown area and the fee in lieu parking area are also not part of this ordinance, she said, because they already have parking requirements stipulated.

The required number of non-accessible parking spaces required by this section may be reduced if the requirements of this subsection (6) are met. The determination of whether these requirements are met, with or without conditions, deemed necessary for consistency with this title, shall be made by the Director in the case of a minor development, the Commission in the case of major development, and the Commission if the application relates to a series of applications for minor developments that, taken together, constitute major development as determined by the Director, read Ms. Maclean.

Any waiver granted should be in writing and should include any findings and conditions such as public amenities, imposed by the Director or the Commission that are consistent with the purpose of this title, she read.

The last time this ordinance was discussed they had discussed that the applicant reasonably demonstrate that these findings were met, said Ms. Maclean. After consultation with the Law Department it was determined that as long as the applicant meets the four standards outlined in the ordinance that those standards would be met, said Ms. Maclean. The Planning Commission or the Director can also add public amenities as a requirement if they feel that this is necessary for the public health, safety and welfare, or economic development, said Ms. Maclean.

For granting of the waiver the applicant would need to prove the following four items:

1) The granting of the waiver would result in more benefits than detriments to the community as a whole as identified by the Comprehensive Plan
2) The development is located outside of the PD-1 parking district, PD-2 parking district, and downtown fee in lieu of parking district map areas
3) Granting the waiver shall not result in adverse impacts to property in the neighborhood area
4) The waiver will not materially endanger public health and safety or welfare

The fee remains at $400 and if it is in conjunction with a major development permit it is reduced by twenty percent, said Ms. Maclean. All property within a 250 foot radius of the parking area would be notified, said Ms. Maclean. Approved parking waivers would expire upon a change in use, she said. The waivers would also be applied to nonconforming situations such as properties on Star Hill or in the flats where they are already nonconforming. They also felt that recreational vehicle parks should be able to apply for the waiver, said Ms. Maclean. They also recommended childcare homes and childcare centers be able to apply for waivers, said Ms. Maclean.

Commission Comments and Questions
Mr. Voelckers summarized that the purpose of this ordinance is to reduce parking in areas where it would otherwise be required, if the applicant could demonstrate the full number of spaces were not needed. He asked if the purpose of this ordinance was stated anywhere in the ordinance. He said he did not see language indicating that an applicant has to show a certain proposed use won't generate the required amount of parking.

Ms. Maclean stated if an applicant proves that they meet items one through four then they do not need the full parking.

Mr. Palmer said he believed that Mr. Voelckers has hit upon one of the critical issues with this project. It is a tricky issue to mandate that the applicant show that they did not need to meet the required parking specifications, said Mr. Palmer. It puts a significant burden on the applicant to prove that they do not need the required parking, said Mr. Palmer. It starts to look very similar to a variance or it starts to look like they may need to hire a traffic engineer to dictate use and to figure out if the specific use follows the parking standards or deviates above or below those standards, he said.

A good example is the Housing First project which due to its use does not need 78 parking spaces, said Mr. Voelckers; it needs six spaces.

Mr. Palmer said the ordinance with the four criteria was drafted to give a fair amount of discretion to the Director or the Planning Commission in order to make parking waivers easier to obtain than is currently available. If the Commission thinks the criteria are too loose then maybe they need to tighten them up, said Mr. Palmer, or conversely, if they think one of the criteria is excessive they can adjust accordingly, he said.

Mr. Voelckers said nowhere is it stipulated in the waiver that the use does not need the full parking requirement.

For background Ms. Maclean said there is a convenience store in Douglas which required three parking spaces on site. They had two apartments above the store which each required one

parking space, she said. That store would have met the criteria outlined in this ordinance, said Ms. Maclean.

Any realistic community models that they held up against this criteria fit well, said Ms. Maclean.

Mr. Greene asked about residences in the downtown area which had no parking at all.

This ordinance would apply to some areas within town but that it would not apply to those homes within the PD-1 and PD-2 or fee in lieu districts, because in effect they already had reduced parking requirements, explained Ms. Maclean.

Mr. Voelckers asked Mr. Palmer if he saw any danger in establishing a precedent with open ended criteria. He asked if there could be a potential problem with the City with an inconsistent application of justice.

Mr. Palmer said this is a very interesting point and that basically time would tell. This ordinance was drafted to give as much discretion as possible within limits, said Mr. Palmer. He said as this waiver process gets used there will be a digest of "case law" that will assist CDD in developing a thorough backlog of information. If this ordinance is perceived later to be too liberal, it can always be tightened up in the future, said Mr. Palmer.

MOTION: *by Mr. Voelckers, that they approve AME2016 0013 and adopt staff's findings, analysis and recommendations and forward it to the Assembly.*

The motion passed with no objection.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS - None

XII. DIRECTOR'S REPORT – None

Ms. McKibben reported there are no items on the agenda for the February 14, (2017) regular Planning Commission meeting. She asked the Commission if they should remove this meeting from their calendar.

The Commission approved the dismissal of the February 14, meeting.

Ms. McKibben reminded the Commission that the Title 49 committee meets February 1, (2017) at 3:00 p.m.

Mr. Frisby asked for a review of the new committee assignments, which was provided by Mr. Dye.

Chairman Haight said the committee assignments are final.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. ADJOURNMENT

Adjourned at 9:45 p.m.

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-10

An Ordinance Authorizing the Sale of Foreclosed Property Located at 15860 Glacier Highway by Public Auction.

WHEREAS, in connection with the foreclosure process for property tax year 2014, the following property was conveyed to City and Borough of Juneau by clerk's deed:

LUSS 3265 LT 24 TR A, Juneau Recording District,
First Judicial District, State of Alaska

with an address of 15860 Glacier Highway, Juneau, Alaska; and

WHEREAS, the current amount owed for tax years 2014, 2015, and 2016, including penalties and interest, is $16,356.10; and

WHEREAS, AS 29.45.460 provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold; and

WHEREAS, the property is not needed by the City and Borough for a public purpose; and

WHEREAS, according to the City and Borough's real property tax assessment rolls, Carmenzita Maria Lorenz was the last record owner of the property; and

WHEREAS, CBJ 53.09.230 provides for the disposal of City and Borough land by outcry auction.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. As it is determined that a public purpose does not exist for the property, the manager is authorized to dispose of the property located at 15860 Glacier Highway, and legally described as USS 3265 LT 24 TR A, by public outcry auction in accordance with CBJ 53.09.230.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-10(b)

An Ordinance Authorizing the Sale of Foreclosed Property Located at 15860 Glacier Highway by Public Auction.

WHEREAS, in connection with the foreclosure process for property tax year 2014, the following property was conveyed to City and Borough of Juneau by clerk's deed:

LUSS 3265 LT 24 TR A, Juneau Recording District,
First Judicial District, State of Alaska

with an address of 15860 Glacier Highway, Juneau, Alaska; and

WHEREAS, the current amount owed for tax years 2014, 2015, and 2016, including penalties and interest, is $16,356.10; and

WHEREAS, AS 29.45.460 provides that tax-foreclosed property conveyed to a municipality and not required for a public purpose may be sold; and

WHEREAS, the property is not needed by the City and Borough for a public purpose; and

WHEREAS, according to the City and Borough's real property tax assessment rolls, Carmenzita Maria Lorenz was the last record owner of the property; and

WHEREAS, CBJ 53.09.230 provides for the disposal of City and Borough land by outcry auction.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. As it is determined that a public purpose does not exist for the property, the manager is authorized to dispose of the property located at 15860 Glacier Highway, and legally described as USS 3265 LT 24 TR A, by public outcry auction in accordance with CBJ 53.09.230, <u>or in the event the public outcry auction does not successfully dispose of the property, by sealed competitive bid in accordance with CBJ 53.09.250, 59.09.200, and such other terms and conditions set by the manager.</u>

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

_____
Kendell D. Koelsch, Mayor

Attest:

_____
Laurie J. Sica, Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapter 15
Dockage Charges, Reservation Charge Policy, and Loading Permit Fees

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD IS PROPOSING TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, and CBJ 85.02.100.

Section 2. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended by the adoption of regulations in Title 05, Chapter 15 as follows:

...

05 CBJAC 15.030 Dockage charges.

(a) *Definition.* The charge assessed to vessels for berthing at the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float (IVF), ~~and the Marine Park Lightering Float~~ the Port Field Office Float (PFO), and the Inside of the Cruise Ship Terminal (ICT).

(b) *Basis for computing charges.* Dockage charges are assessed upon length-over-all (LOA) of the vessel. Length-over-all is defined as the linear distance, in feet, from the forward most part at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

Length-over-all of the vessel, as published in "Lloyd's Register of Shipping" will be used and, when not published, the Port reserves the right to measure the vessel or obtain the length-over-all from the vessel's register.

(c) *Dockage period; how calculated.* The period of time which dockage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, or comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions shall be allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.

(d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, the total time at such berths or slips will be considered together when computing the dockage or charge.

(e) *From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:*

(1) $1.50 per foot for vessels less than 65 feet in length overall;

(2) $2.50 per foot for vessels with a length overall from 65 feet up to 200 feet; and

(3) $3.00 per foot for vessels greater than or equal to 200 feet in length overall.

(f) From May 1 to September 30, fishing vessels will be assessed dockage at $0.75 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku ~~Fisheries~~ Dock, provided the duration of staging is less than four hours.

(g) From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030, 05 CBJAC 20.035, and 05 CBJAC 20.040.

(h) From May 1 to September 30, vessels loading passengers as part of a for-hire tour or experience with a duration less than 24 hours shall comply with the requirements set out in 05 CBJAC 20.080(c) and shall pay passenger-for-hire fees as set out in 05 CBJAC 20.080(d).

(i) *Dockage specials.* The Docks and Harbors Board may after public hearing establish special and promotional rates of a temporary nature in order to encourage use of facilities, to respond to unusual economic circumstances, or to promote revenue development.

05 CBJAC 15.035 Reservation charge policy.

(a) *Purpose.* This reservation charge policy applies to vessels for reserved moorage at the Intermediate Vessel Float, the Port Field Office Float (PFO), the Inside of the Cruise Ship Terminal (ICT), and Statter Harbor Breakwater from May 1st to September 30th.

(b) *Basis for computing charges.* Charges will be assessed as set out in 05 CBJAC 15.030.

(c) *Reservation Requests.* Reservations are required to dock at these facilities, with the exception of designated active loading zones. Requests for moorage reservations can be submitted at any time by email. Requests for reservations more than 365 days into the future will only be processed between May 1 and September 30. All requests and reservations must have arrival and departure times. Requested positions on the dock are not guaranteed. Docks and Harbors staff will review all requests and position vessels to optimize use of the IVF, PFO, and ICT docks.

(d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a

reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1st in the year of requested moorage at no additional charge if space is available. Starting May 1st, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

(e) *Other fees.*

(1) Any associated tenders/dinghies will also be charged moorage when stored in the water on the dock or alongside the vessel (space permitting) as set out in 05 CBJAC 15.030.
(2) Rafting is only allowed if authorized by Docks and Harbors staff and charges will be assessed as set out in 05 CBJAC 15.030.
(3) Power is available on a first come first serve basis and is not guaranteed. Charges will be assessed as set out in 05 CBJAC 30.010 (e).

(f) *Loading Zones.* Designated active loading zones are intended primarily for vessels which are lightering, fishing vessels staging to offload at Taku Dock, and vessels engaged in passenger-for-hire activity. Vessels wishing to dock in a loading zone for longer than four hours must obtain approval from the Harbormaster and will be charged accordingly.

...

05 CBJAC 15.080 Loading permit fees.

(a) *Definition.* The charge assessed for obtaining a loading permit as set out in CBJ Administrative Code Title 05, Chapter 10.

(b) *Basis for charge.* Permits are issued to qualifying entities pursuant to the regulations set out in CBJ Administrative Code Title 05, Chapter 10. Three classes of permits are issued, "A" permits, "B" permits, and limited loading permits. The "A" and/or "B" permits have two fee components. The first component is assessed to each company obtaining one or more "A" and/or "B" permits. The second component is assessed to each company based on the total number of passenger seats, excluding the vehicle drivers, that are permitted. All fees are assessed on a per calendar year basis.

(c) *Loading permit fees assessment:*

Permit Type	Fee
"A" or "B" Permit	2017 $300 per company plus $7 per passenger seat 2018 $350 per company plus $8 per passenger seat 2019 $400 per company plus $9 per passenger seat Starting 2025 Adjust this fee every 5 years based on the CPI adjustment.
Limited Loading Permit	$15 per vehicle for each permit day; or $250 per year, whichever is less.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 5/8/2017

Carl Uchytil
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 5/9/17

Robert H. Palmer, III
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

_____
Laurie J. Sica, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ___:___ a.m./p.m. on the _____ day of _____, _____.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: _____.

Date: _____

_____
Laurie J. Sica, Municipal Clerk

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 20, Chapter 40
COMMERCIAL PASSENGER VEHICLES

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE MANAGER ADOPTS THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 20.40.130(b).

Section 2. Amendment of Regulations. 20 CBJAC 40.120(a)(2)(C), relating to fees, is amended to read:

20 CBJAC 40.120 Fees.

Fees are established as follows:

(a) Fees for permit application:

...

(2) *Vehicle approval:*

(A) Inspection fee per motorized vehicle 50.00

(B) Re-inspection fee (required for missed bi-annual inspection) 25.00

(C) Application fee per non-motorized vehicle ..... ~~50.00~~ $25.00

Section 3. Amendment of Regulations. 20 CBJAC 40.580, relating to insurance, is amended to read:

20 CBJAC 40.580 Insurance.

(a) Commercial General Liability Insurance for Class A & Class B Vehicles. No certificate of public convenience and necessity shall be issued or continued in operation unless there is in full force and effect automobile insurance policies issued by one or more insurance companies licensed to do business in the state of Alaska and covering all motorized vehicles authorized under the certificate. The policy shall provide coverage for each motorized vehicle authorized in the amount of $100,000.00 for bodily injury to any one person, in the amount of $300,000.00 for injuries to more than one person which are sustained in the same accident, and $50,000.00 for property damage resulting from any one accident. ~~Each policy shall name the City and Borough of Juneau as an additional insured.~~ This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBJ, its officers, officials, employees, and volunteers.

(b) Commercial General Liability Insurance for Class C Vehicles. The holder must maintain Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the Operator. This amount must be at least $1,000,000 per occurrence, and $2,000,000 aggregate. This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBJ, its officers, officials, employees, and volunteers.

~~(b)~~(c) Each policy shall contain a clause that it may not be canceled or terminated or allowed to expire by insurer without 30 days' notice to the City and Borough. A certificate showing issuance of the policy and containing statements as to coverage and cancellation shall be filed annually with the administrator.

~~(c)~~(d) The administrator may allow the holder to file individual liability insurance policies for each vehicle registered to the certificate. If the owner of a vehicle registered to a certificate is not the holder, the owner may purchase the policy. It is the responsibility of the holder to have at all times on file with the administrator the individual certificates of insurance.

Section 4. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on April 7, 2017, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 5/8/17

Duncan Rorie Watt
City Manager

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: May 9, 2017

Amy Gurton Mead
Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Laurie J. Sica, Municipal Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ___:___ a.m./p.m. on the _____ day of _____, _____.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: _____.

Date: _____

Laurie J. Sica, Municipal Clerk

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

March 28, 2017

City & Borough of Juneau
Attn: Beth McEwen
Via Email: beth.mcewen@juneau.org
Cc: City.Clerk@juneau.org

Re: Notice of 2017/2018 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	**License Number:**	2175
Licensee:	Midnight Ninja Ventures Incorporated		
Doing Business As:	Lupo		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Jedediah Smith, Local Government Specialist
amco.localgovernmentonly@alaska.gov

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17a: Restaurant / Eating Place

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant / eating place license that will expire on December 31, 2016. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only needs to be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed.

Licensee:	Midnight Ninja Ventures Incorporated	**License #:**	2175
License Type:	Restaurant/Eating Place	**Statute:**	AS 04.11.100
Doing Business As:	Lupo		
Premises Address:	120 Second Street, Ste. B		
Local Governing Body:	City & Borough of Juneau		
Community Council:	None		

Mailing Address:	111 Seward Street				
City:	Juneau AK	**State:**	AK	**ZIP:**	99801

Enter information for the licensee who will be designated as the primary point of contact regarding this application and the license.

Designated Licensee:	Travis Smith		
Contact Phone:	907 209 9474	**Business Phone:**	~~SAME~~ 586 1409
Contact Email:	themonkeycafe@gmail.com		

Seasonal License? Yes ☐ No ☒ **If "Yes", write your six-month operating period:** _____

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FEB 28 2017
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17a: Restaurant / Eating Place

Section 2 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 3.
If more space is needed, please attach a separate sheet with the required information.
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		**State:**		**ZIP:**	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		**State:**		**ZIP:**	
Email:					
Contact Phone:					

Section 3 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC). Partnerships may skip to Page 3. Sole proprietors should skip to Section 4.

Alaska DOC Entity #:	1307.57

Alaska Division of Corporations:

	Yes	No
Is your entity in good standing with the Alaska Division of Corporations?	☒	☐

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STATE OF ALASKA

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
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Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17a: Restaurant / Eating Place

This subsection must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each ***stockholder who owns 10% or more*** of the stock in the corporation, and for each ***president, vice-president, secretary,*** and ***managing officer***.
- If the applicant is a **limited liability organization**, the following information must be completed for each ***member with an ownership interest of 10% or more***, and for each ***manager***.
- If the applicant is a **partnership**, including a **limited partnership**, the following information must be completed for each ***partner with an interest of 10% or more***, and for each ***general partner***.

Entity Official:	Travis Smith				
Title(s):	President	**Phone:**	907.209.9474	**% Owned:**	40.01
Address:	2158 Lawson Creek Road Unit C				
City:	Douglas	**State:**	AK	**ZIP:**	99824

Entity Official:	Jason Salma				
Title(s):	Treasurer	**Phone:**	503.890.4024	**% Owned:**	39.99
Address:	2052 SE Hawthorne Blvd Apt #304				
City:	Portland	**State:**	OR	**ZIP:**	97214

Entity Official:	Beau Schooler				
Title(s):	Secretary	**Phone:**	907.209.1484	**% Owned:**	20
Address:	824 2nd Street				
City:	Douglas	**State:**	AK	**ZIP:**	99824

Entity Official:					
Title(s):		**Phone:**		**% Owned:**	
Address:					
City:		**State:**		**ZIP:**	

Entity Official:					
Title(s):		**Phone:**		**% Owned:**	
Address:					
City:		**State:**		**ZIP:**	

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Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17a: Restaurant / Eating Place

Section 4 – Authorization

Communication with AMCO staff:

	Yes	No
Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?	☐	☒

If "Yes", disclose the name of the individual and the reason for this authorization:

Section 5 – License Operation

Check the box that best describes your liquor license operations in calendar years 2015 and 2016:

The license was regularly operated continuously throughout each year, for 8 or more hours each day.	☒
The license was regularly operated during a specific season each year, for 8 or more hours each day.	☐
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. *If this box is checked, an AMCO employee will contact you after reviewing your application.*	☐
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. *If this box is checked, an AMCO employee will contact you after reviewing your application.*	☐

Section 6 – Convictions

Applicant convictions in calendar years 2015 and 2016:

	Yes	No
Has any person named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2015 or 2016?	☐	☒

If "Yes", list all convictions:

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FEB 28 2017
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17a: Restaurant / Eating Place

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and if the licensee is an organized entity, that all current entity officials and stakeholders are listed with the Alaska Division of Corporations. [X TS]

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. [X TS]

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. [X TS]

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board. [X TS]

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Alcoholic Beverage Control Board. [X TS]

I certify that the gross receipts for the sale of food at the restaurant equal at least 50% of the total gross receipts for calendar years 2015 and 2016. [X TS]

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Travis Smith
Signature of licensee

Natalie R. Cly
Signature of Notary Public

Travis Smith
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: July 8 2020

Subscribed and sworn to before me this 28 day of February, 2017.

License Fee:	$ 600.00	Filing Fee:	$ 200.00	TOTAL:	$ 800.00
Late Fee of $500.00 -- if received or postmarked after 01/03/2017:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

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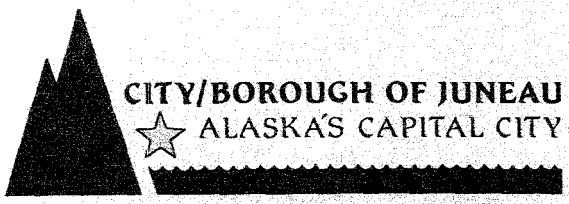
FEB 28 2017
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA



OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth.McEwen@juneau.org

May 5, 2017

Via certified & regular mail
Midnight Ninja Ventures Inc.
d/b/a Lupo
Attn: Travis Smith
111 Seward Street
Juneau, AK 99801

Re: Restaurant Eating Place Liquor License #2175 Lupo Renewal Protest

Dear Travis,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2016-2017 and submitted the renewal for comment before the local governing body.

As is our practice in these matters, the staff from the Fire, Finance, Police, and Community Development Departments reviewed your establishment to insure compliance with city code. As you are aware, t**he Finance Department is recommending the Assembly protest this license renewal based on Midnight Ninja Venture Inc. for a remaining balance due of $40,362.28 based on outstanding sales tax, liquor tax, penalties and interest from the fourth quarter 2016 and first quarter 2017 returns.** Sales Tax Administrator Clinton Singletary has informed us that you made a $7,000 payment on May 4 on the outstanding balance and that the $40,362.28 is what is remaining following that payment. He has also notified us that you are working with their office to enter into a Confession of Judgement, however, as is the standard procedure with all these cases, the Confession of Judgement does not remove their recommendation to protest the liquor license renewal. It is entirely up to the Assembly to make a decision on whether to protest or waive its protest to your liquor license renewal.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. **This matter will be considered at the Monday, May 15, 2017 Assembly meeting which will be held in the Assembly Chambers at 5:00 p.m. Please note the 5pm meeting time is different from the regular 7pm start time for most Assembly meetings. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.**

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference.

In the meantime, I would urge you to continue to work with CBJ Sales Tax Administrator Clinton Singletary to try to resolve the outstanding balances owing on your account prior to the meeting on May 15 if at all possible. He can be reached at 586-5265.

Sincerely,

Beth McEwen
Deputy Clerk

cc: via email
Clinton Singletary, Sales Tax Administrator
Bob Bartholomew, Finance Director
Rorie Watt, City Manager

Enclosures
CBJ Code 20.25.025 & AS 04.11.480

7015 1520 0001 8088 5456

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- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postmark Here

Postage
$

Total Post
$

Sent To

Street and

City, State,

Midnight Ninja Ventures Inc.
d/b/a Lupo, Attn: Travis Smith
111 Seward Street
Juneau, AK 99801

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

City and Borough of Juneau (CBJ) Code

20.25.025 - Assembly review of license issuance, renewal, transfer, or continued operation. modified

(a) The assembly may protest the issuance, renewal, transfer, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

(1) Failure of the applicant to secure a local permit, or if the applicant is in violation of any applicable local permit;

(2) That the applicant has violated a provision of AS 04 or regulations adopted by the state, or a condition imposed by the alcohol control board on the licensee, or if issuance of the license would violate a provision of state law or regulations;

(3) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;

(4) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;

(5) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;

(6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough;

(7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section;

(8) The concentration of other marijuana establishment or alcohol licenses in the area;

(9) Any factor identified by state statute or regulation as appropriate grounds for a protest;

(10) Any other factor the assembly determines is generally relevant or is relevant to a particular application.

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

(b) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the applicant's address identified on the state license application. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.

(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002; Serial No. 2016-22(am), § 3, 8-22-2016)

State Law reference— Assembly protest, AS 04.11.480.

Alaska Statutes

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510 (b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310 , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510 (b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510 (b)(3) shall be retained as part of the board's permanent record of its review of the application.

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510 (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510(c).

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: January 12, 2017

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

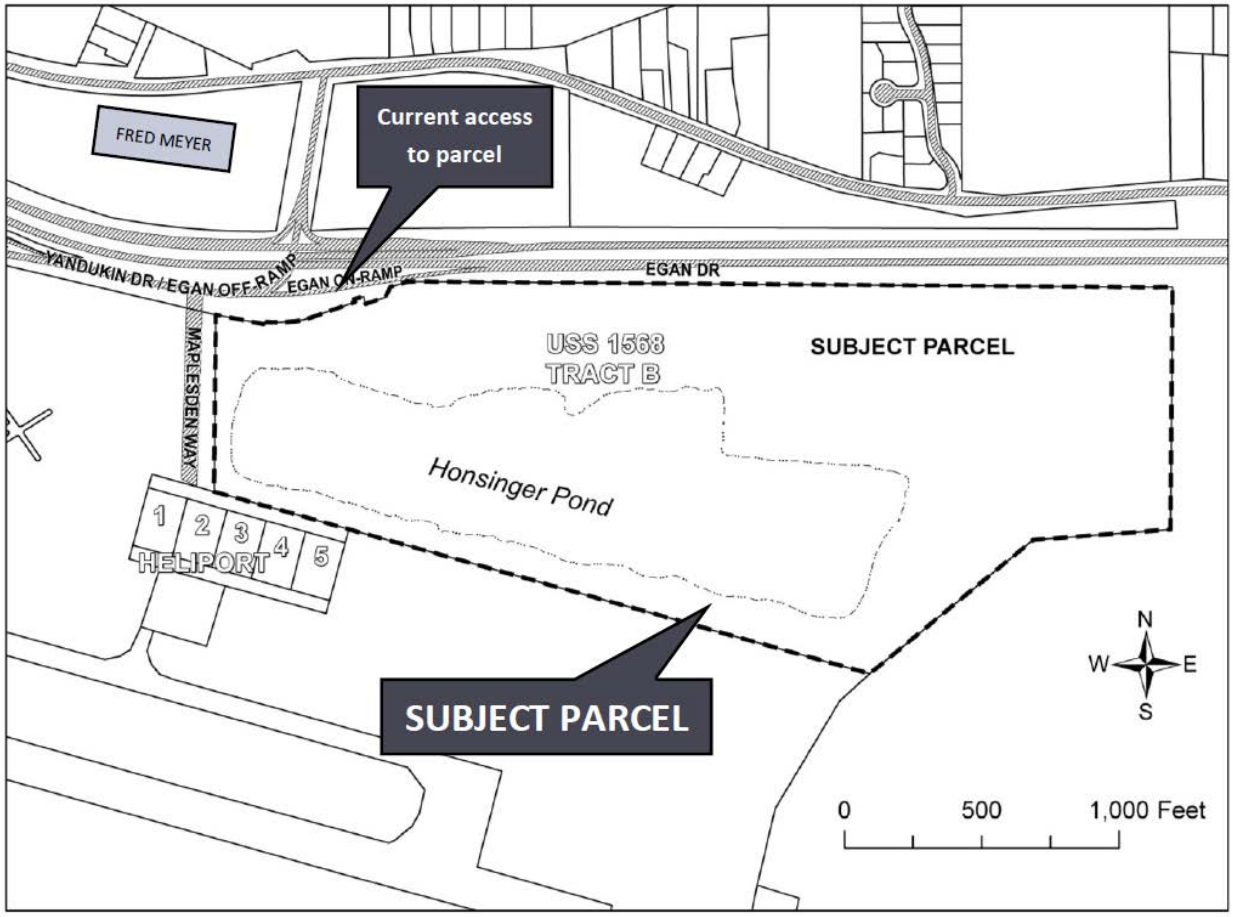
FILE NO.: AME2016 0007

PROPOSAL: A request to rezone 23 acres of an 83 acre parcel from Rural Reserve to Industrial zoning

Applicant:	Bicknell Inc.
Property Owner:	Bicknell Inc.
Property Address:	Yandukin Drive
Legal Description:	USS 1568 TR B
Parcel Code No.:	5-B14-0-102-007-0
Site Size:	82.66 Acres
Zoning:	RR - Rural Reserve
Comprehensive Plan Future Land Use Designation:	RD - Resource Development
Utilities:	City water and sewer
Access:	Yandukin Way/Egan Drive
Existing Land Use:	vacant/dredge pond
Surrounding Land Use:	North- D-5; Juneau Christian Church Northwest – Light Commercial: Fred Meyer retail

South - Industrial; Juneau International Airport
East - Mendenhall Wetlands State Game Refuge
West - Industrial; Juneau International Airport

Vicinity Map



ATTACHMENTS

Attachment 1	Development Permit Application
Attachment 2	Zone Change Application
Attachment 3	Zone Change Boundary Map
Attachment 4	Project Narrative
Attachment 5	Parcel Map
Attachment 6	Zoning Map
Attachment 7	2013 Juneau Comprehensive Plan Land Use Designation Map
Attachment 8	2013 Juneau Comprehensive Plan Scenic Corridor Viewshed Map

Attachment 9	Juneau Wetlands Management Plan Map
Attachment 10	U.S. Army Corps of Engineers Wetland Fill Permit
Attachment 11	Alaska Department of Transportation and Public Facilities Comments, July 26, 2016
Attachment 12	Juneau International Airport Comments
	A. November 18, 2016 comments with Federal Aviation Administration (FAA) references
	B. November 23, 2016 summary comments
	C. JIA Land Status Map with Chart
	D. JIA Layout Plan, pages 1-11
	E. May 27, 2014 FAA letter to JIA regarding the airport's as-built layout plan
	F. INM Noise Models, Year 2015 and Year 2035
	G. Supplemental information
Attachment 13	Draft October 20, 2016 Wetlands Review Board Minutes
Attachment 14	AME 2013 0015 Notice of Decision
Attachment 15	AME2013 0007 Notice of Decision
Attachment 16	CBJ Code 49.25.300 Table of Permissible Uses, with Industrial and Rural Reserve Zoning Districts Highlighted

INTRODUCTION

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan. CBJ 49.75.130 describes re-zoning procedures.

PROPOSAL

The applicant requests a rezone to change 23 acres of an 83 acre parcel from Rural Reserve to Industrial zoning. The parcel is an old gravel extraction site adjacent to the Juneau International Airport and Mendenhall Wetlands State Game Refuge, developed in the 1970s to support the original construction of Egan Drive. While the site is adjacent to Egan Drive, physical access is a driveway connecting to Yandukin Way. This section of Yandukin Way is located on the on-ramp to Egan Drive. Access issues will be addressed near the end of this staff report.

In the Project Narrative, the applicant states that because gravel resources have been extracted from the property, the Rural Reserve zoning designation is no longer consistent with the surrounding uses and does not support CBJ policies regarding in-fill development. The re-zone application process does not require the applicant to declare specific uses or a development plan for the property. However the applicant states that the existing gravel extraction pond would be filled and a significant area of the filled pond would be utilized for industrial purposes.

The applicant has a U.S. Army Corps of Engineers permit authorizing the wetland fill. (Attachment 10)

The applicant's Project Narrative notes that the proposed re-zone complies with Comprehensive Plan policies 5.9, 5.10, and 10.7 regarding the need for additional Industrial properties. The property is flat and surrounded on three sides by Industrial and General Commercial zoning. The proposed rezone would retain 59.5 acres in the existing Rural Reserve zone. The applicant states that this change would preserve a buffer between the industrial uses and adjacent wetlands, and minimize visual impacts on views down the channel. (Attachment 4)

BACKGROUND

The subject parcel has an extensive history of gravel extraction followed by recent requests to change the zoning and the Comprehensive Plan maps to allow for new uses. Below is a brief history of the parcel obtained from CDD records:

USE-CU66-04. An application for a borrow pit. Approved.

USE-CU85-33. A Conditional Use Permit to allow continued use of an existing borrow pit. Approved.

AME2012 0011. An application to rezone the Honsinger Pond parcel to a combination of Industrial and Light Commercial classifications. This application was withdrawn before the Planning Commission hearing.

AME2013 0007. A request to amend the Comprehensive Plan Map G from Resource Development to a mix of Industrial, General Commercial, and Resource Development in the area of Honsinger Pond. The map amendment failed to win a recommendation for approval after a 3-3 vote of the Commission. This tie resulted in a denial recommendation, and the recommendation was appealed to the Assembly but withdrawn before it was heard.

AME2013 0015. A request to rezone 83 acres of Rural Reserve to a mixture of Industrial, Light Commercial, and Rural Reserve. The Planning Commission denied the request. The Commission's decision was appealed to the Assembly. The Assembly declined to have an ordinance introduced to rezone the property at that time.

BLD2013 0052. A grading permit for 150,000 cubic yards of fill. Approved.

CDD has also received a Conditional Use Permit application for a motocross park at the site. A motocross park may be allowed in either the Rural Reserve or Industrial zone with an approved permit. A date has not yet been set for Commission review of this application.

ZONE CHANGE INITIATION

CBJ 49.75.110. *INITIATION. A rezoning may be initiated by the director, the commission or the assembly at any time during the year. A developer or property owner may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.*

1. Was the proposed zone change initiated by the property owner during the appropriate time frame OR was the zone change initiated by the commission or director?

Yes. The application for the subject zone change was initiated by the property owner in January 2016.

2. Has the director provided adequate public notice through newspaper advertising, property owner mailings and by requiring a public notice sign to be posted on-site?

Yes. Notice has been provided according to the chart below:

AME16-07 Hearing Scheduled	Abutters Notice sent Out	Juneau Empire 1st Notice	Juneau Empire 2nd Notice
11/8/16	October 4 October 10 (notice sent a second time to provide a better map)	N/A	N/A
11/8/16 POSTPONED	Postponement Notice sent October 17, 2016	N/A	N/A
1/24/17	December 21, 2016	January 13, 2017	January 23, 2017

In addition, a public notice sign was posted on the site on January 10, 2017, visible from the right-of-way, for two weeks prior to the Planning Commission hearing.

RESTRICTIONS AND PROCEDURE

CBJ 49.75.120. *RESTRICTIONS ON REZONINGS. Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezone requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.*

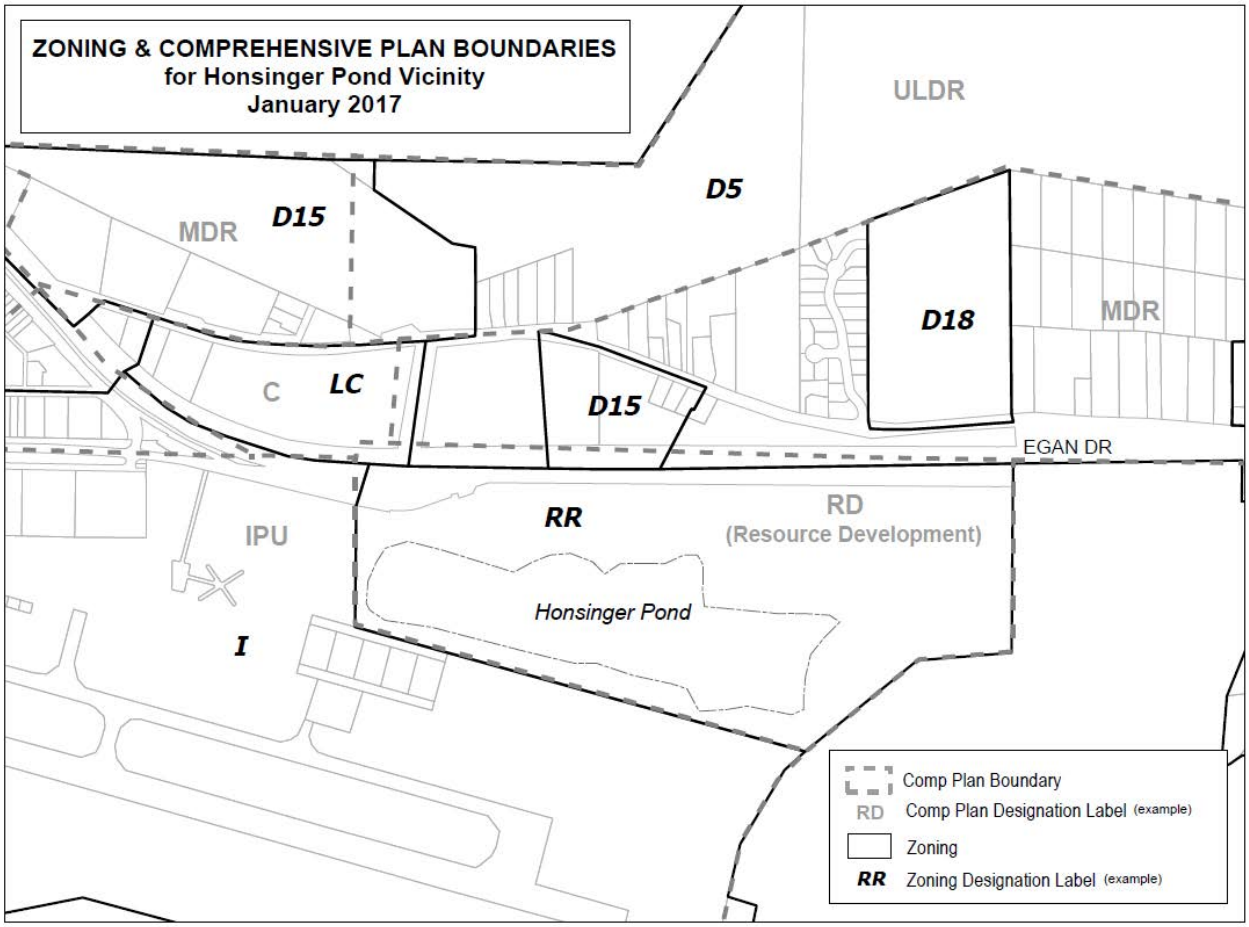
The CBJ Land Use Code provides minimum restrictions for zone change requests. This proposal conforms to these restrictions as follows:

1. The request is for 23 acres, significantly more than 2 acres, and is also an expansion of the Industrial zoning district.

2. No similar request has been made in the past year.

COMPLIANCE WITH THE 2013 JUNEAU COMPREHENSIVE PLAN

Comprehensive Plan designations and zoning districts are shown in drawing below:



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In Chapter 11, Comprehensive Plan Land Use Maps, the following guidance is offered in regard to rezoning:

> *In considering a re-zoning request, the Planning Commission and Assembly should aim to promote the highest and best use of the land under consideration and all new zoning or re-zoning designations are required to be substantially consistent with the Comprehensive Plan and associated land use maps. In some cases, the highest and best use may be increased density or more intensive use of the land; in other cases, the highest and best use may be preservation in an undisturbed state for purposes of habitat preservation, flood control, or providing a buffer between development and areas subject to natural hazards. (p.143)*

When there is a discrepancy between the Comprehensive Plan and the Land Use Code, the Land Use Code prevails. Specifically, CBJ Code 49.05.200(b) states, "....Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan."

Chapter 1 of the Comprehensive Plan further supports the flexibility of the plan, but emphasizes that it should be used when considering community growth, along with other current information. Specifically, the Plan states:

> *Discussions related to community growth, redevelopment, capital and social improvements, or budget, must occur in consultation with the Plan. ....[The Plan] should...bring into focus sufficient information and data so that the best possible considered and objective judgments can be made, using the most current data available when the data in the Plan is out of date. [The Plan]....provides a logical, consistent, and purposeful approach to managing community growth and development. (p. 1)*

When considering this request it is important to understand what the Comprehensive Plan intends when describing land use designations. The Plan states that the designations are intended to describe the overall character of development for each land use category. The Plan definitions are not intended to be firm or restrictive definitions. However, in contrast, zoning uses that are allowed outright, or allowed through a Conditional Use Permit, are firm and restrictive. The designations are to be used to guide the formation of zoning regulations. The land use designations and their allowed uses reflect cultural values and economic and societal needs, and over time, the Comprehensive Plan descriptions of land use categories will change to reflect changing values and circumstances. (p. 144) The Comprehensive Plan Map for this area is shown on Attachment 7.

CBJ 49.75.120 partially incorporates those Comprehensive Plan policies and directs that, "A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the Comprehensive Plan." Thus, the issue is whether this rezone request substantially conforms with the land use maps of the Comprehensive Plan.

"Substantial conformance with the land use maps of the Comprehensive Plan" means the proposed zoning district (Industrial) needs to substantially conform with the Comprehensive Plan land use map designation (Resource Development). The term "substantial conformance" means that the proposed zoning district may deviate slightly from the Comprehensive Plan land use map designation but must be materially the same.

The proposed zone change to Industrial substantially conforms with the Resource Development designation, as described in the next section.

Comprehensive Plan Land Use Designations

The site is located in Subarea 4 of the 2013 Comprehensive Plan (map G). The plan shows this lot as RD, or Resource Development. Page 147 of the 2013 Comprehensive Plan describes RD as follows:

> *Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. Such specific uses may include, where appropriate, resource extraction and development, recreational and visitor-oriented facilities, and residential uses. The area outside the study area of this Comprehensive Plan is considered to be designated Resource Development. As resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately.*

Staff notes that the majority of Resource Development lands in the Borough are either publicly owned or located outside of the Urban Service Area. The subject property is a notable exception.

The area immediately adjacent to the subject parcel is identified as Institutional and Public Use (IPU). Page 146 of the 2013 Comprehensive Plan describes IPU as follows:

> *Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, State and Federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat harbors, schools, parks, farmers markets, publicly supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities may also be accommodated within Transit Corridors. Transit Corridors can be expected to support Affordable Housing, and Transit Oriented Development overlay districts.*

Although not specifically listed, the airport is a public facility and is an appropriate use in this area. If the airport was a private facility, the area would likely be designated as Industrial on the Comprehensive Plan maps.

The Comprehensive Plan Resource Development designation is broad and somewhat vague. While conservation is noted in the definition, so are resource extraction and development, and visitor facilities. The Industrial zoning district similarly encompasses a broad variety of potential uses including resource extraction, recreational facilities, and restaurants, though it does not allow visitor facilities. The Comprehensive Plan Resource Development designation indicates that "as resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately." Gravel extraction has been completed on the site; therefore a re-zone from Rural Reserve to Industrial is appropriate and substantially conforms with the vision of the Comprehensive Plan. As noted earlier, Chapter 11, Comprehensive Plan Land Use Maps, states that "In considering a re-zoning request, the Planning Commission and Assembly should aim to promote the highest and best use of the land....In some cases, the highest and best use may be increased density or more intensive use of the land..." The requested industrial zone would allow for increased use of the property, in a central area adjacent to Egan Highway and airport, following this guidance.

Comprehensive Plan Scenic Viewshed Corridor

The Mendenhall Wetlands State Game Refuge immediately adjacent to this parcel is an identified Scenic Viewshed/Corridor (SVC) in the 2013 Comprehensive Plan. The plan states that this designation is suitable for public properties. Page 146 of the 2013 Comprehensive Plan describes SCV areas as follows, with emphasis added:

> *This designation is suitable for <u>CBJ owned and other public lands whose views of, or whose near and/or distant views from the locale, are deemed as spectacular and/or represent a significant and important representation of the visual character of the CBJ.</u> The views of, or from, the designated SCV land area toward public vista points or viewscape: 1) demonstrate a scenic view of great natural beauty, a spectacular landscape, an important historic building, or site; 2) provide views of the aurora borealis, sea, harbors, or of cityscape that is a "signature" viewscape of the CBJ; and 3) is valued by residents and visitors alike and conveys the CBJ as a special place. Lands in the scenic corridor or viewscape should be protected from visual intrusion or obstructions from structures, night light and glare, invasive flora and/or other similar elements that would diminish the visual prominence of the viewscape. Lands within the SCV designations may be zoned for a mix of zoning districts, most particularly the same district as the surrounding lands; however, any new zoning request or rezoning application should identify specific view corridors that would be protected by any new*

> *development therein. Land uses that do not require view-blocking structures should be permitted, such as public vista plazas and seating areas, community gardens, boat launch facilities, fishing areas or utility poles.* (Emphasis added)

The Comprehensive Plan map (Attachment 8) and definition quoted above refer to both Scenic Corridor and Viewshed (SCV), however only the scenic corridor is specifically mapped; the viewshed is not. This Comprehensive Plan designation explicitly refers to public land, not private, and is therefore not applicable to the rezone request.

In the Project Narrative, the applicant has explained that under the proposed rezone 59.5 acres of the parcel would remain in the Rural Reserve zone to preserve a buffer between industrial uses and the adjacent wetlands and to minimize the visual impact on views down the channel. (Attachment 4)

Comprehensive Plan Policies, Guidelines, and Considerations

While CBJ Title 49 specifically requires a proposed rezone to substantially conform with the Comprehensive Plan **maps** (CBJ 49,70.120), a number of policies, guidelines and considerations in the plan also provide some context.

The CBJ Parks and Recreation Comprehensive Plan, Chapter 8, discusses potential public acquisition of a section of the subject property. However this discussion is not relevant to the proposed rezone because this area is outside of the requested rezone boundaries.

On page 181 of the Comprehensive Plan, Subarea 4, Guideline/Consideration 7 addresses industrially zoned land:

> *Seek new industrial zoning districts to compensate for the encroachment of existing industrial districts by retail, office and other non-industrial commercial uses. Designate the industrial districts that have a visual connection from and vehicular access to major thoroughfares and that have already been encroached upon by retail and office uses as heavy commercial/light industrial districts within which industry may remain and non-industrial commercial uses can expand. In other industrial districts, prohibit retail, office, residential and other non-industrial or non-Public uses. (p. 181)*

As discussed above, the site is currently designated as Resource Development in the 2013 Comprehensive Plan. The proposed zone change would leave approximately 59.5 acres of the parcel in Rural Reserve status, including approximately two thirds of the pond (which would be filled in accordance with an approved permit from the U.S. Army Corps of Engineers) and most of the western and southern areas of the lot. The applicant's project narrative states that this

area would preserve scenic views and provide a buffer between Industrial uses and the Mendenhall Wetlands Refuge.

The requested rezone, if approved, would create new industrially-zoned land which would have a visual connection from and vehicular access to major thoroughfares consistent with Guideline 7, above.

The Comprehensive Plan also addresses the Honsinger Pond area in Chapter 11, Comprehensive Plan Land Use Maps:

> *Industrial districts were designated according to the type of industrial use therein or based on the location criteria of industrial businesses. Due to the incremental, yet significant, encroachment of commercial retail, office and service uses into industrially-zoned districts in Lemon Creek and near the airport, these areas were re-designated from industrial use to heavy commercial/light industrial use. Other lands that had previously been designated for future park use near the airport (<u>an abandoned land and gravel pit</u>) and for resource development in Lemon Creek (an active gravel pit) were designated Resource Development; <u>these areas are expected to be available for development in the long-term</u>.* (p. 144) (Emphasis added)

This paragraph explicitly states that the subject property, adjacent to the airport, is intended for expanded development after completion of resource extraction.

Chapter 10, Land Use, discusses commercial and industrial land use as well as the availability of land for these uses. Juneau is far from national markets and serves as a regional hub for goods and services. This section of the plan says that much of Juneau's industrially-zoned land within the urban service area contains wetlands and is largely unsuitable for development. The buildable lands inventory that was done for the 2008 plan found that lands suitable for development in the near future include current and former gravel extraction sites. Policy 10.7 states:

> *To designate on land use and zoning maps, and to provide services to, sufficient vacant land within the Urban Service Area appropriately located to accommodate future commercial and industrial uses.*

With conditions, the proposed rezone would provide safe access to the subject property and allow a broader variety of commercial and industrial uses allowed in the Industrial zoning district.

Chapter 5, Economic Development, also discusses commercial and industrial development. This chapter articulates the need for additional industrially-zoned lands and again suggests that

"areas around gravel extraction activities can convert to industrial districts once the land is leveled and the gravel extraction on those lands is complete." (p. 58) Policy 5.10 states:

> *To designate sufficient and suitable land for anticipated commercial and industrial development as part of its overall economic development program.*

Furthermore, Standard Operating Procedure 5.10 SOP2 states:

> *When additional land is needed for commercial or industrial uses or when there are particular locational requirements for certain activities, initiate appropriate amendments to the Comprehensive Plan and Zoning maps to accommodate this need. These new commercial and industrial zones should be evaluated in relation to all applicable policies of the Comprehensive Plan. (p. 58)*

Chapter 8, Transportation, contains an extensive section on the Juneau International Airport. Page 104 states:

> *Typically, land surrounding an airport is placed in an industrial use designation, which is more compatible with the impacts of aircraft and the shipping functions of the airport; industrial tenants are more tolerant of noise, dust, fumes, and traffic associated with airports than are residential neighbors. With the very limited number of buildable sites for residential and commercial uses in the borough, those uses have encroached into the industrial buffer zone surrounding the airport, making vacant land for aviation-related businesses more expensive and hard to find.*

This paragraph is perhaps the most direct support for the proposed rezone in the Comprehensive Plan, as it specifically highlights the need for industrial property adjacent to the airport.

Finally, Policy 8.1 expresses the need for the airport to work with the private sector to facilitate commerce:

> *To promote and support aviation safety; to develop and maintain airport facilities meeting the aviation transportation needs for Juneau, its residents, visitors and commerce; and to work with the public and private sectors to facilitate commerce, economic development, and access to Alaska's Capital City.*

In conclusion, the proposed rezone substantially conforms with the 2013 Juneau Comprehensive Plan map designation, Resource Development, because the Resource Development designation states that properties under this designation should be rezoned after resource extraction has been completed. The plan includes many policies that support the

requested rezone from Rural Reserve to Industrial. These policies indicate a need for more industrial property within the borough and again state that the subject property is intended for expanded development after resource extraction has been completed, which it has. The plan also states that industrial zoning is the preferred designation for properties adjacent to the airport.

2015 JUNEAU ECONOMIC DEVELOPMENT PLAN

The 2015 Juneau Economic Development Plan is incorporated into the Comprehensive Plan in CBJ Code 49.05.200(b)(1)(N). The proposed rezone does not specifically address any of the eight economic development initiatives identified in the plan. However the rezone indirectly addresses one of the economic development planning concepts and practices listed in Chapter Two, as follows:

> *Land availability - an adequate supply of appropriately zoned land is available for commerce and industry, as well as residential development. This includes access to the land needed to support commercial, industrial, and other development. This also includes zoning that supports neighborhood- based small business growth that creates jobs and provides services which area residents and the community need. This type of small business development and growth also supports quality of life and walkable mixed-use neighborhoods.*

The proposed zone change from Rural Reserve to Industrial may create more opportunities for commercial and industrial development, as shown in the chart found in the Discussion section later in this report. The Economic Development Plan concept also notes the need for access to commercial and industrial development. Access to the subject property is an important issue which will be addressed later in this report.

Appendix A-7 of the plan also refers to the need for more Industrial property, which would be addressed by the proposed zone change:

> *Juneau does not have a large pool of industrial land available. When asked about over 20 possible barriers to their business or organization's growth during the 2014 JEP Business Survey, "availability of commercial/industrial property in Juneau" is seen as a significant barrier by 21% and somewhat a barrier by 24% of participating businesses.*

Along with policies in the Comprehensive Plan, specifically noted in Chapters 5, 8, and 10, the Juneau Economic Development Plan supports the need for industrial property to promote economic growth.

COMPLIANCE WITH TITLE 49 LAND USE CODE

The following language is provided by the CBJ Land Use Code to describe the current zoning designation, Rural Reserve:

> *The RR, rural reserve zoning district is intended for lands primarily in public ownership managed for the conservation and development of natural resources and for future community growth. In addition, recreation cabins, lodges and small seasonal recreational facilities may be allowed. (49.25.200)*

The applicant has requested that approximately 23 acres of the site be zoned Industrial, with 59.5 acres remaining in Rural Reserve. The CBJ Land Use Code describes the Industrial zone as:

> *The I, industrial district, is intended to accommodate industrial activity which includes manufacturing, processing, repairing and assembling goods. Because of noise, odors, waste and other impacts inherent in industrial activity, performance standards are applied. (49.25.240)*

The Land Use Code states that rezones must substantially comply with the Comprehensive Plan maps, which designate this property as Resource Development. As discussed in the preceding analysis, the Industrial zoning district substantially complies with the Resource Development designation on the Comprehensive Plan maps and meets the intent of many Comprehensive Plan policies which encourage a transition to expanded development options after resource extraction has been completed and industrial uses adjacent to airports. In addition, Rural Reserve is primarily intended for large vacant public tracts of land that do not yet have development plans or for private parcels outside of the Urban Service Boundary. The subject property is in private ownership, centrally located adjacent to Egan Drive and the airport, the community needs more industrial land, this is an appropriate location for industrial land, and resource extraction has been completed. For all of these reasons, the Industrial zoning district is consistent with the Land Use Code.

49.70.900-49.70.1097 Coastal Development, Habitat, and Wetlands

The 2008 Juneau Wetlands Management Plan (based on the original wetland studies conducted in the 1980s) categorizes wetlands into four categories: A, B, C and D; A is the highest value and D the lowest. Class A and B wetlands require a Corps of Engineers Permit before they can be developed. The Wetlands Management Plan identifies a portion of this site as having a wetlands classification of B. The dredge pond portion of the site is identified as EP-Enhancement Potential. The Wetlands Management Plan does not classify intertidal wetlands, which constitute the remainder of this site. The most recent 2016 Juneau Wetlands Management Plan, which is currently in draft form, does not address this parcel. The applicant

has obtained a U.S. Army Corps of Engineers permit to fill the pond. (Attachment 10) CBJ Wetlands Board review is addressed in the following section.

Agency Review

An agency review period was conducted from June 23 through July 11, 2016. (Staff notes that although the application was initiated in January 2016 in accordance with code requirements, the applicant's project narrative was received in June. Therefore the agency review period was delayed.)

CDD did not receive any comments from: the Alaska Department of Environmental Conservation, Alaska Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, CBJ Lands Division, CBJ Streets Division, CBJ Building Division, CBJ Assessor, or Alaska Electric Light and Power Company.

The CBJ Fire Department responded that they had no issues. The CBJ General Engineering Division stated, "GE supports the rezone which allows for additional development that would complement other Airport activities."

The CBJ Wetlands Review Board reviewed the proposal at its October 20, 2016 regular meeting. The Board discussed the habitat values of the site and reviewed the Industrial and Rural Reserve zoning districts with staff. The Board concluded that there was no need to make a motion on the proposal, noting that the Board would review specific developments in the future as needed. Draft board minutes are included in Attachment 13.

CDD received extensive comments from both the Alaska Department of Transportation and Public Facilities (ADOT/PF) and the Juneau International Airport (Attachments 11 and 12). The primary concern raised from the agency review process was vehicular access to the site. These issues will be addressed in the Access section of this report.

DISCUSSION

Uses in the Rural Reserve and Industrial Zones

As discussed in the Background section of this report, this site has historically been used for gravel extraction. This resulted in the borrow pit that is locally known as Honsinger Pond. The site is currently vacant, and the current zoning of Rural Reserve (RR) allows a wide variety of land uses.

There are commercial, church and residential uses across Egan Drive from this site. Zoning in this area is a mix of Light Commercial, and D-5 and D-15 residential uses. At this location Egan

Drive has four travel lanes, two turn lanes, and two acceleration lanes, which creates a significant delineation between other uses and also impedes pedestrian crossing. The adjacent Mendenhall Wetlands State Game Refuge was established in 1976 to protect habitat and game populations and to provide recreation. The airport is the nearest active land use. It is zoned Industrial and is shown as Institutional and Public Use (IPU) on the Comprehensive Plan maps.

The table below illustrates a variety of uses that might be permitted in the current Rural Reserve zoning as well as the proposed Industrial zoning for 23 acres of the site. This table does not include all uses that may be permitted in these zoning districts. The full Table of Permissible Uses, CBJ Code 49.25.300, has been attached for reference with the Industrial and Rural Reserve zoning districts highlighted. (Attachment 16)

A Sample of Permissible Uses in the Rural Reserve and Industrial Zones

	Rural Reserve	Industrial
Duplex	1	
Hotel	1	
Light, medium, and heavy manufacturing	3 T	1, 3
Restaurant/bar	3 T	3
Gas station	3 T	3
Landfill	3	3
Sand and gravel	3	3
Stable	3	3
Day Animal Services	3	1,3
Veterinary clinic	3	1
General retail		3
Marine retail	3 T	3
Motor vehicle sales		1,3
Motor vehicle maintenance		1
Commercial greenhouse	3	1
Health care clinic		
Child care	3	
Outdoor recreation	3	3
Indoor recreation		3

Blank space - Use not allowed
1 – Allowed with a building permit
3 – Allowed with an approved Conditional Use Permit
3 T – Allowed with an approved Conditional Use Permit, and the proposed use must meet the requirement of Footnote T in the Table of Permissible Uses, 49.25.300, which states, “Must be associated with a unique site specific feature in order to function. Example: glacier research station – Juneau Icefield location.”

The table illustrates a key difference in permitting requirements between the Industrial and Rural Reserve zoning districts. While many uses require an approved Conditional Use Permit in both zones, several significant uses—such as manufacturing—have an additional requirement in the Rural Reserve zone for compliance with footnote T, an association with a unique site specific feature. This footnote was added to the Table of Permissible Uses as part of major code changes in 2010. A project addressing this requirement has not yet come before the Planning Commission. This requirement is potentially quite restrictive, therefore the Industrial zoning district may provide significantly more development opportunities than Rural Reserve. Staff notes that the table is intended to provide some examples and is not intended to serve as a substitute for analysis of allowed uses in the Table of Permissible Uses during the actual permitting process for a development.

As another way to evaluate the differences between the current zoning and the requested zoning, it may be useful to review the dimensional standards of the two zoning districts, as follows:

	RR	I
Setbacks		
Front	25’	10’
Rear	25’	10’
Side	15’	None
Street side	17’	10’
Lot coverage		
Permissible uses	10%	None
Conditional uses	20%	None
Building Height	45’	None
Vegetative coverage	None	5%

Additional height limitations may be necessary on the property due to potential restrictions imposed by the Federal Aviation Administration, since the property is immediately adjacent to the Juneau International Airport. These issues are described in the following section.

Juneau International Airport (JIA) Considerations

Staff has worked extensively with the Juneau International Airport (JIA) throughout the review process and has held many meetings to address development questions, potential impacts to the airport, and access concerns. JIA has submitted several documents for the record as follows (Attachments 12A-12G):

A. November 18, 2016 detailed comments that include Federal Aviation Administration (FAA) references

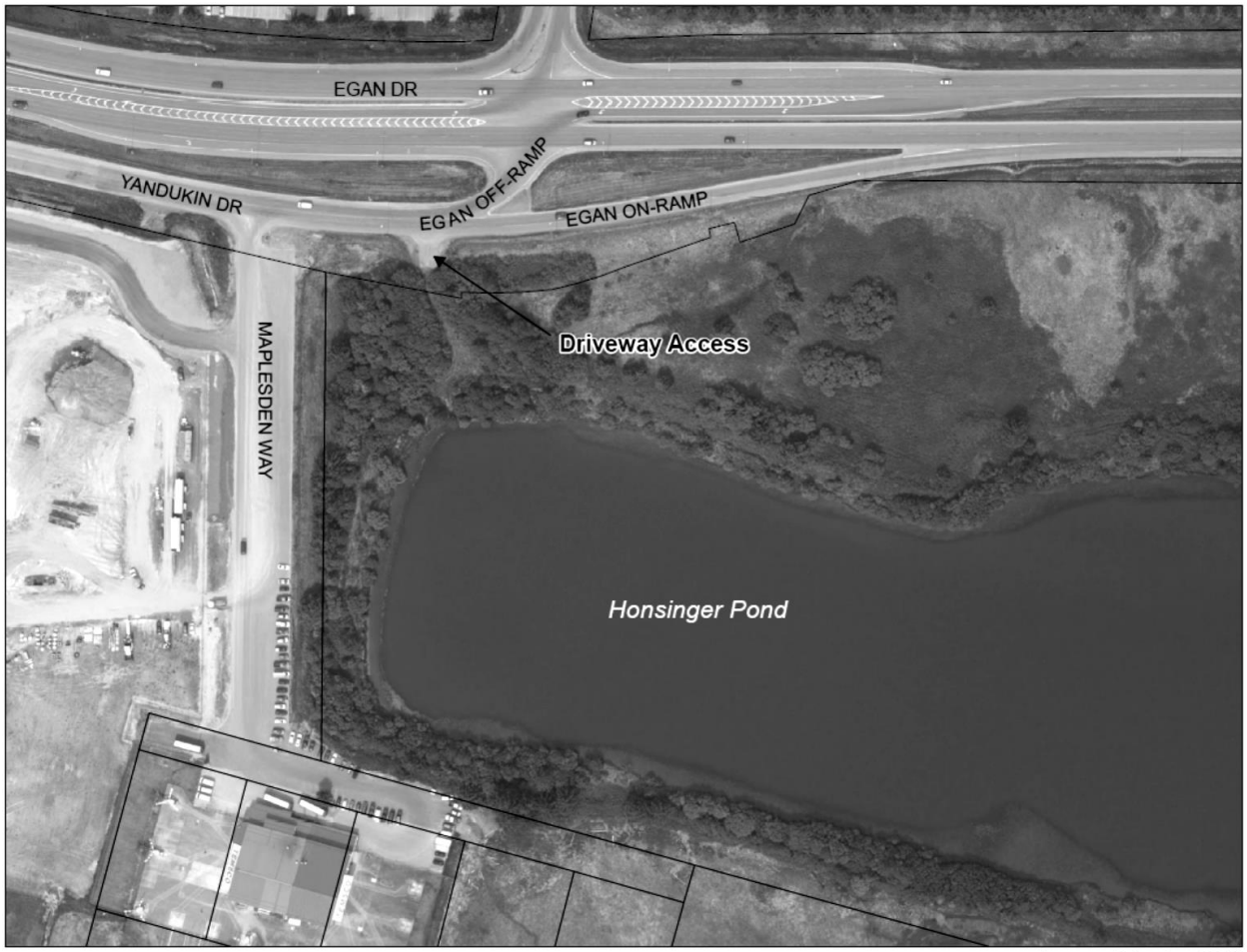
B. November 23, 2016 summary comments
C. JIA Land Status Map with chart
D. JIA Layout Plan, pages 1-11
E. May 27, 2014 FAA letter to JIA regarding the airport's as-built layout plan.
F. INM Draft Noise Models, Year 2015 and Year 2035)
G. Supplemental Information

JIA has concluded that the rezone is "premature" because some forms of development may interfere with aircraft safety. Staff observes that this is not relevant to the rezone itself and instead has to do with potential future development. CDD already has a protocol in place to inform JIA of development plans so that they may work with the applicant and the Federal Aviation Administration (FAA) as needed.

JIA notes that granting access to the applicant from Maplesden Way may require that the FAA be reimbursed for the road section connecting to the subject property, since that road section will not be used for airport-only purposes. This is a JIA monetary issue that is also not relevant to the rezone. The Alaska Department of Transportation has stated that any expanded use of the property, regardless of the zoning district, will require an alternate access point because the current driveway access is not safe. This is addressed in the next section of this report.

ACCESS

Access to the subject property is currently via Yandukin Way, through a driveway permit that was first issued by the Alaska Department of Transportation and Public Facilities (ADOT/PF) in 1972, during the original construction of Egan Drive. This section of Yandukin Way is located on the on-ramp to Egan Drive, as shown in the photo on the next page. The driveway permit for this location has been acknowledged and retained by ADOT/PF in subsequent Egan Drive/Yandukin Way improvements in 1981, 1994, 1999, and 2012, as documented in ADOT/PF surveys.



Imagery Date: June 2013

During CDD's Agency Review Process, CDD staff asked ADOT/PF to comment regarding the safety of the Yandukin Way driveway access and whether the driveway permit would be continued if uses on the property expanded through the re-zone process or other means. In an email message dated 7/26/16, ADOT/PF Right-of-Way Agent Emily Haynes responded with the following statements, reprinted in full (Attachment 11):

> *DOT&PF has included this access point in our projects along Yandukin. Within Alaska Preconstruction Manual (450.12.3), the driveway is considered to be permitted as-is per the as-builts for these projects. However, once the 1) land use of property served is changed; 2) the location of the driveway is changed, or; the driveway is modified in any other way (e.g. width, radii, grade, etc.) the landowner is required to obtain a new permit. Due to the fact that this is going to be rezoned to industrial, it is subject to a new review and permit.*
>
> *Within any subsequent driveway permit review, these are some major concerns that we've identified with allowing the access:*

- *The location is classified as an intersection and we have minimum distance requirements for access points from intersections*
- *Road classification*
    - *The on ramp is classified as a principal arterial and the rest of Yandukin is a major collector*
    - *Arterials are controlled access and private drives are not allowed; major collector allow us to limit accesses*
- *Alternative access to Maplesden present (unless it was restricted in the right of way designation)*
- *Safety Issues*
    - *Left hand turning vehicles from Egan (northbound) into the property could be stopped by southbound Yandukin traffic which may result in vehicles backing up across Egan*
    - *Left hand turning vehicles from the property onto Yandukin would have to watch northbound Egan traffic (those turning left to Yandukin) as well as southbound Yandukin traffic*
    - *Right hand turning vehicles on to the Yandukin on ramp would have to speed up to Egan speed*
    - *Right hand turning vehicles from Yandukin into the property would stop those trying to gain speed to Egan*

There may be more issues that come to light during a review and there may be concessions we allow with approved development plans.

DOT&PF would prefer the property owner to use Maplesden Way as the access point as it is already existing and is far safer than allowing industrial facilities and associated traffic to the existing point of access.

The parcel map shown in Attachment 5 shows the Yandukin Way driveway access and also shows Maplesden Way, located on the southwest property line. Maplesden Way was first constructed as an access road to cross Juneau International Airport (JIA) property to what is now the Temsco helicopter pad and office. Maplesden Way was later reconstructed and realigned to its current condition. JIA currently maintains the road, but the road is not a designated public right-of-way.

Based on ADOT/PF's comments, CDD has determined that the Yandukin Way driveway access is a significant public safety concern, particularly if use on the site expands as a result of the re-zone application. JIA has expressed reluctance to allow access from Maplesden Way. However no evidence indicates that Maplesden Way cannot be used to access this property, especially if the applicant and JIA negotiate. Staff notes that there are other roads, like Shell Simmons Drive

and Yandukin Way, that bisect JIA property and provide for non-airport related traffic. Alternatively, the property may be accessible across the Mendenhall Wetlands State Game Refuge. (See Alaska Statute 16.20.034(d) for reference.)

Without some alternative access from Maplesden Way or across the Mendenhall Wetlands State Game Refuge, the property owner would likely be denied any new development of the subject property regardless of the zoning district but especially under the expanded development options of the Industrial zone. Therefore staff recommends that Maplesden Way serve as the dedicated access to the parcel, with the following condition:

1. Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

CBJ Code 49.15.424 states, in part, "Except as provided below, the department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance."

A subdivision may not be required for anticipated future development, which would trigger implementation of CBJ Code. 49.15.424. Therefore requiring legal access from Maplesden Way prior to a change to the Industrial zone will ensure that subsequent development will be guaranteed safe access, thereby protecting the public health, safety, and welfare. Promoting public health, safety, and welfare is a key purpose and intent of the CBJ Land Use Code, as noted in 49.05.100(4).

PUBLIC COMMENTS

No public comments have been received at this writing.

RESTRICTIONS AND PROCEDURE

> *CBJ 49.75.120. RESTRICTIONS ON REZONINGS. Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.*

The intent of the Land Use Code 49.05.100 is shown below.

(1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;
(2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;
(3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;
(4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;
(5) To provide adequate open space for light and air; and
(6) To recognize the economic value of land and encourage its proper and beneficial use.

The request meets the two requirements to be considered for rezoning, in accordance with CBJ 49.75.120, because the parcel is greater than 2 acres and the request is not substantially the same as a rezone request rejected in the past 12 months. Furthermore, the request for Industrial zoning is an expansion of an existing zoning district.

As discussed in other sections, the rezone request meets the intent of the Land Use Code, item 1, because it substantially conforms with the Comprehensive Plan, specifically because it complies with the Resource Development designation on the Comprehensive Plan maps, and meets the intent of many Comprehensive Plan policies. The rezone request meets the intent of the Land Use Code, item 6, by recognizing the economic value of the subject property and allowing potentially expanded development within a zoning district that meets the intentions of Comprehensive Plan maps and policies. The condition to require access from Maplesden Way, or an alternative access, ensures that the development meets the intent of item 4 by providing safe access to promote public health, safety, and welfare.

ZONE CHANGE OPTIONS AND ALTERNATIVES

The applicant has requested to have 23 acres of the 82.66 acre site rezoned to Industrial and the remainder of the parcel, approximately 59.5 acres retained in the Rural Reserve district.

Options are to approve the request as submitted, deny the request as submitted, or recommend an alternative to the Assembly.

FINDINGS

After review of the application materials, the CBJ Land Use Code, and the CBJ 2013 Comprehensive Plan the Director makes the following findings:

1. The proposal meets the submittal requirements and the rezoning initiation, zone change restrictions, and procedural requirements of the CBJ Land Use Code.

2. Rezoning approximately 23 acres to the Industrial zoning district is in substantial conformance with the Land Use maps of the Comprehensive Plan, specifically Map G.

3. The proposed condition to require access from Maplesden Way or an alternative access approved by the CDD Director ensures that the rezone will protect public health, safety, and welfare.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and recommends that the rezone request to change 23 acres to Industrial be approved with the following condition:

1. Prior to a zone change from Rural Reserve to Industrial, the property owner shall obtain and develop legal access to the subject parcel from Maplesden Way or an alternate access approved by the CBJ Community Development Department Director, in conformance with CBJ Code 49.15.424.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 1/28/16
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description
Rezone 23 Acres of Rural Reserve to Industrial

PROPERTY LOCATION

Street Address	City/Zip
0 Glacier HWY	Juneau 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
USS 1568 TR B

Assessor's Parcel Number(s)
5B1401020070

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
Bicknell Inc	David	789-5727
Mailing Address	**Home Phone:**	**Fax Number:**
PO Box 33517 Juneau, AK 99803		789-2644
E-mail Address	**Other Contact Phone Number(s):**	
dblommer@bicknellinc.com		

LANDOWNER/ LESSEE CONSENT

****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X _____ Landowner/Lessee Signature — Date: 1/27/16

X _____ Landowner/Lessee Signature — Date: _____

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

PROJECT / APPLICANT

APPLICANT

If the same as OWNER, write "SAME" and sign and date at **X** below

Applicant's Name	Contact Person:	Work Phone:
Same		
Mailing Address	**Home Phone:**	**Fax Number:**
E-mail Address	**Other Contact Phone Number(s):**	

X _____ Applicant's Signature — Date of Application: 1/27/16

----------OFFICE USE ONLY BELOW THIS LINE----------

STAFF APPROVALS

✓	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
✓	Zone Change Application	BMC	1-27-16	AME 16-007
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials BMC

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

ZONE CHANGE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		AME 16-007	1-27-16

TO BE COMPLETED BY THE APPLICANT

LEGAL DESCRIPTION(S) AND LIMITS OF PROPERTY TO BE REZONED:

IS THIS AN EXPANSION OF AN EXISTING ZONE? ☑ Yes ☐ No

Total Land Area of Proposed Change 23 acres

Comp Plan Designation RD

Current Zone(s) Rural Reserve

Comp Plan Map G

New Zone Requested Industrial

TYPE OF ZONE CHANGE REQUESTED:

☑ Regular ☐ Transition

HAS THIS OR A SIMILAR ZONE CHANGE BEEN REQUESTED IN THE PREVIOUS 12 MONTHS?

☐ Yes ☑ No

UTILITIES AVAILABLE: WATER: ☑ Public ☐ On Site SEWER: ☑ Public ☐ On Site

PURPOSE OF THE REQUESTED ZONE CHANGE:
To create industrial land to meet the demand in Juneau. To use the land at its highest and best use.

IS THERE A PROPOSED USE OF THE LAND? ☑ Yes ☐ No

PROPOSED BUFFERS TO ADJACENT ZONES? ☐ Yes ☑ No

DESCRIBE (INCLUDING TYPE AND DENSITY OF PROPOSED DEVELOPMENT):
Industrial Development similar to the development on Commercial Boulevard

DESCRIBE ANY POTENTIAL IMPACTS TO PUBLIC INFRASTRUCTURE:

STREETS: Streets will be new contruction and accessed off of Yandukin Road

WATER: Water is located at site and will have minimal impact on public infrastructure

SEWER: Sewer is located at site and will have minimal impact on public infrastructure

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ZONE CHANGE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$600.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 80.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 780.00	093246	cdd 7560	1/25/16

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Attachment 3

This Rezone request is for the property with the parcel # 5B1401020070. It is located between Fred Meyers and the airport along Glacier Highway. The land is currently zoned Rural Reserve which we are requesting be changed to a mixture of Industrial and Rural Reserve. The change would add approximately 23 acres of Industrial land and be consistent with surrounding uses and the 2013 Comprehensive Plan adopted by Ordinance 2013-26.

The property is currently zoned Rural Reserve which allows a variety of development under the table of permissible uses; however, the intensity of the allowed uses do not represent the highest and best use of the property to the owner or to the community. Under the 2013 Comprehensive Plan the area is shown as Resource Development on the Map G of the land use maps. The Comprehensive Plan defines such zoning as:

> *Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. … As resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately.*

The gravel resources have been extracted from the property and it should be rezoned as industrial as the Rural Reserve zoning is not consistent with the surrounding uses and CBJ policies of supporting in fill development.

The development plan would include filling in the pond to create a significant part of the area to be rezoned to Industrial. It is well known that there is a shortage of Industrial zoned land available for development. Furthermore, flat land close to essential transportation that could be zoned industrial is even scarcer. The need for this type of land is discussed in the Comprehensive Plan (Policy 5.9):

> *Commercial and industrial activity requires sufficient and suitable land. Careful attention to the spatial requirements and locational considerations of potential uses is necessary to promote and maintain the local economy.*

The Comprehensive Plan also addresses the need to designate sufficient and suitable land for anticipated commercial and industrial development as a part of its overall economic development program. See Policy 5.10. The standard operating procedure under Policy 5.10 is:

When additional land is needed for commercial or industrial uses or when there are particular locational requirements for certain activities, initiate appropriate amendments to the Comprehensive Plan and Zoning maps to accommodate this need. These new commercial and industrial zones should be evaluated in relation to all applicable policies of the Comprehensive Plan. See Policy 5.10 ï SOP2

The Comprehensive Plan Policy also promotes designating lands within the Urban Service Area that are appropriately located to accommodate future commercial and industrial uses. See Policy 10.7. Development Guideline 10.10 ï DG2 states that:

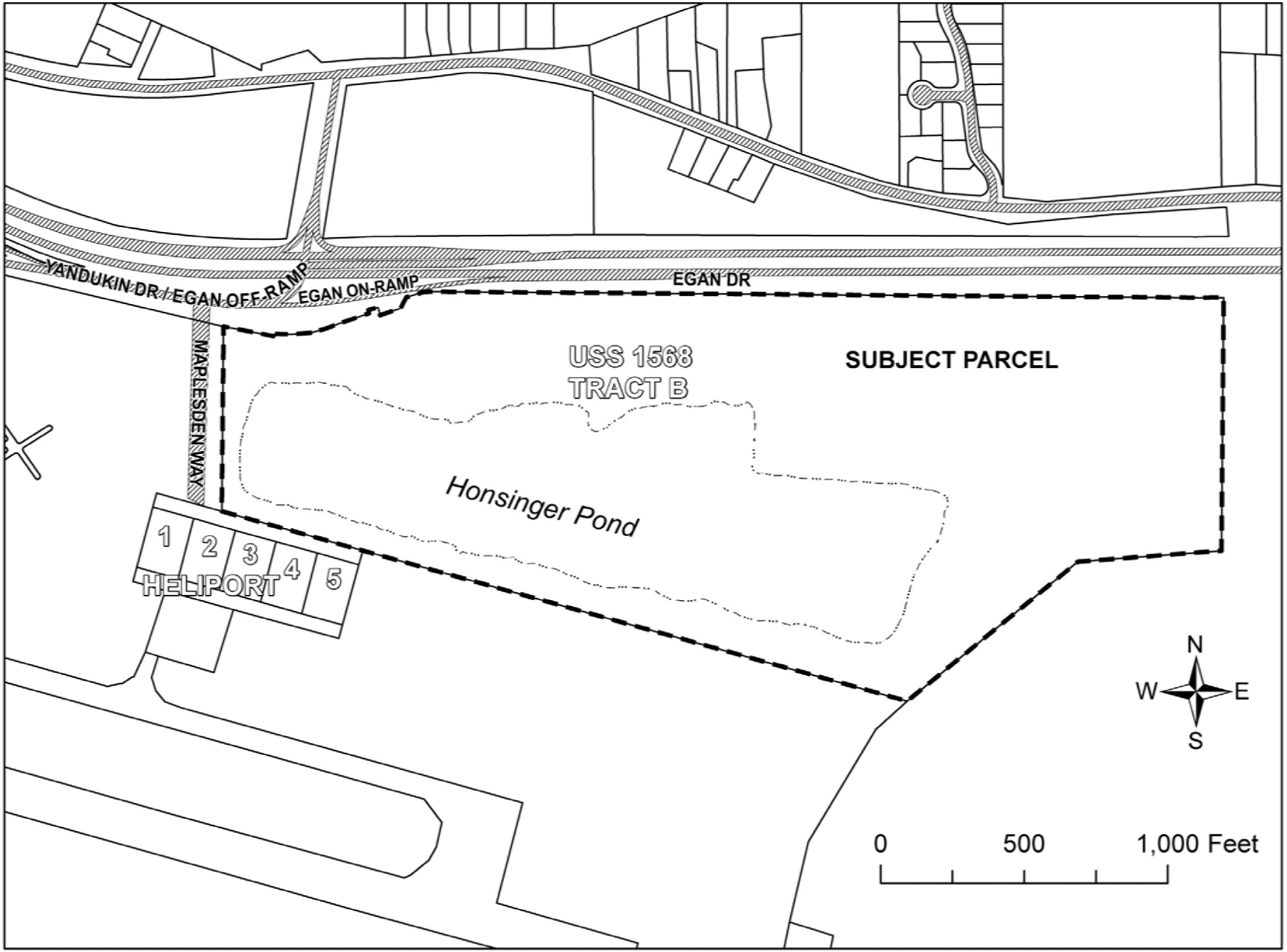
> *When designating land for heavy and light industrial uses on the Comprehensive Plan Land Use Maps and the Land Use Code zoning maps, evaluate the sites based on the following criteria:*
> *A. Physical site conditions: Industry needs flat, dry land with soils that can sustain heavy loads;*
> *B. Access and capacity of adjacent streets with consideration for heavy-load-carrying capacity and wide turning radii to accommodate large truck turning movements;*
> *C. Distance from sensitive receptors, such as homes, schools and hospitals, to potential offsite impacts generated by industry including noise, dust, fumes, odors and nighttime light glare.*

Rezone of the Honsinger pond parcel provides for expansion of Juneauôs Industrial lands on land that is relatively economic to develop given its flat topography and provides an excellent opportunity for in fill development. It lies squarely in the urban service boundary and is surrounded on three sides by uses that are either industrial or general commercial and fronts on Egan Drive, the major arterial between downtown Juneau, the Mendenhall Valley and the Juneau International Airport. The airport has had some concerns about waterfowl from the Honsinger Pond creating a safety issue. By allowing the pond to be filled in, it would alleviate these concerns.

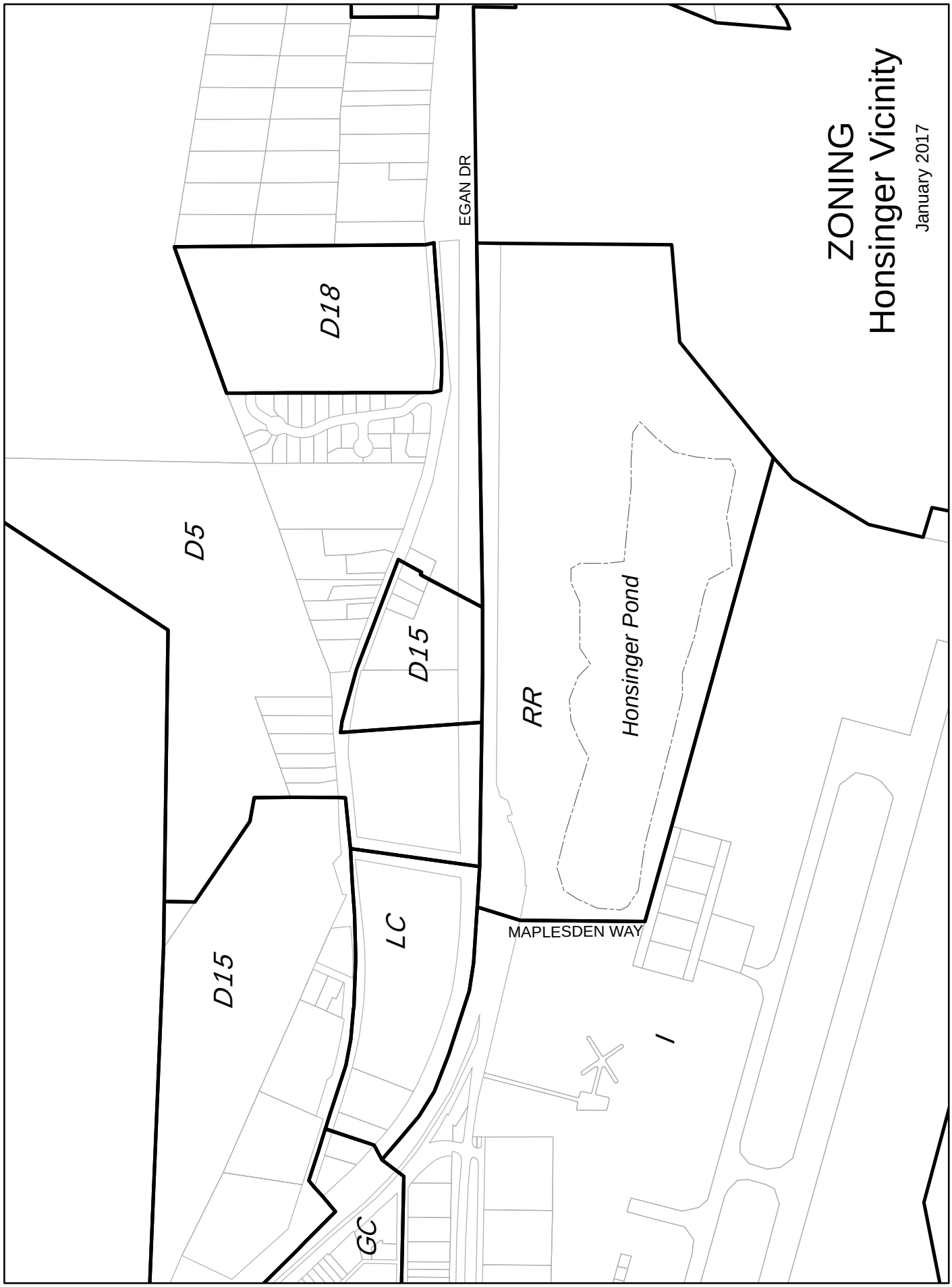
Also it should be noted that the proposed rezone excludes 59.5 acres from the application. This section of land preserves a buffer between the industrial uses and adjacent wetlands and minimizes the visual impact on views down the channel.

The property is located adjacent to the Scenic Viewshed Corridor which is also discussed in the Comprehensive Plan. The land if rezoned Industrial would not have a height limitation; however, being in close proximity to the airport height FAA limitations would be imposed so that impacts on views. If there are still concerns, they could be addressed during the permitting process.

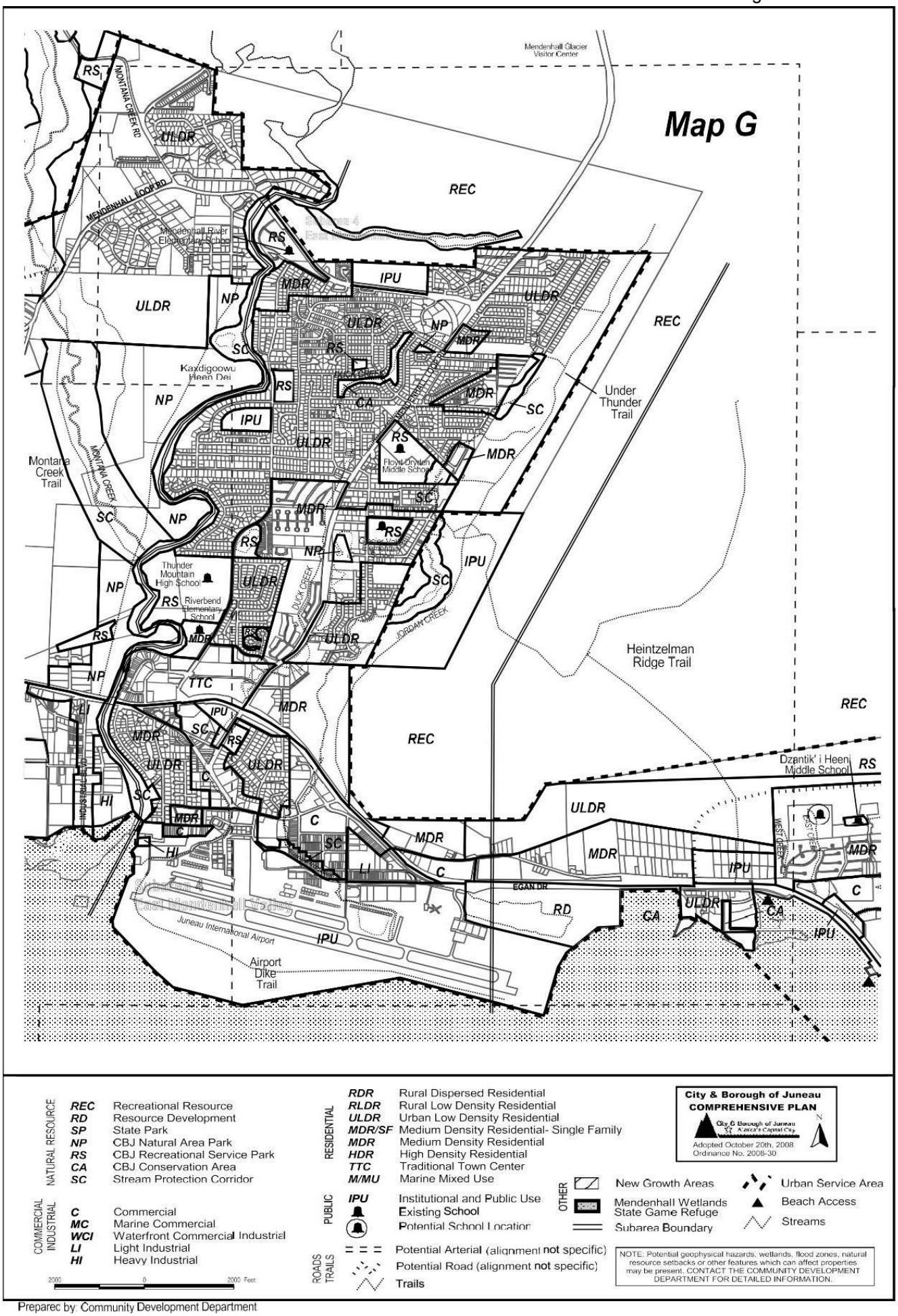
The rezone of this parcel as proposed would add approximately 23 acres of scarce Industrial land for development. This amount of land would meet the current need for this type of land and also meet the need future development. Furthermore, the development of this parcel would meet a number of the policies expressed in the 2013 Comprehensive Plan. Industrial land in this area should provide opportunities for the basic sustainable industries to develop which would strengthen and diversify Juneauôs economy.



Attachment 5



Attachment 6



NATURAL RESOURCE

REC	Recreational Resource
RD	Resource Development
SP	State Park
NP	CBJ Natural Area Park
RS	CBJ Recreational Service Park
CA	CBJ Conservation Area
SC	Stream Protection Corridor

COMMERCIAL INDUSTRIAL

C	Commercial
MC	Marine Commercial
WCI	Waterfront Commercial Industrial
LI	Light Industrial
HI	Heavy Industrial

2000 0 2000 Feet

RESIDENTIAL

RDR	Rural Dispersed Residential
RLDR	Rural Low Density Residential
ULDR	Urban Low Density Residential
MDR/SF	Medium Density Residential- Single Family
MDR	Medium Density Residential
HDR	High Density Residential
TTC	Traditional Town Center
M/MU	Marine Mixed Use

PUBLIC

IPU	Institutional and Public Use
	Existing School
	Potential School Location

ROADS TRAILS

	Potential Arterial (alignment not specific)
	Potential Road (alignment not specific)
	Trails

OTHER

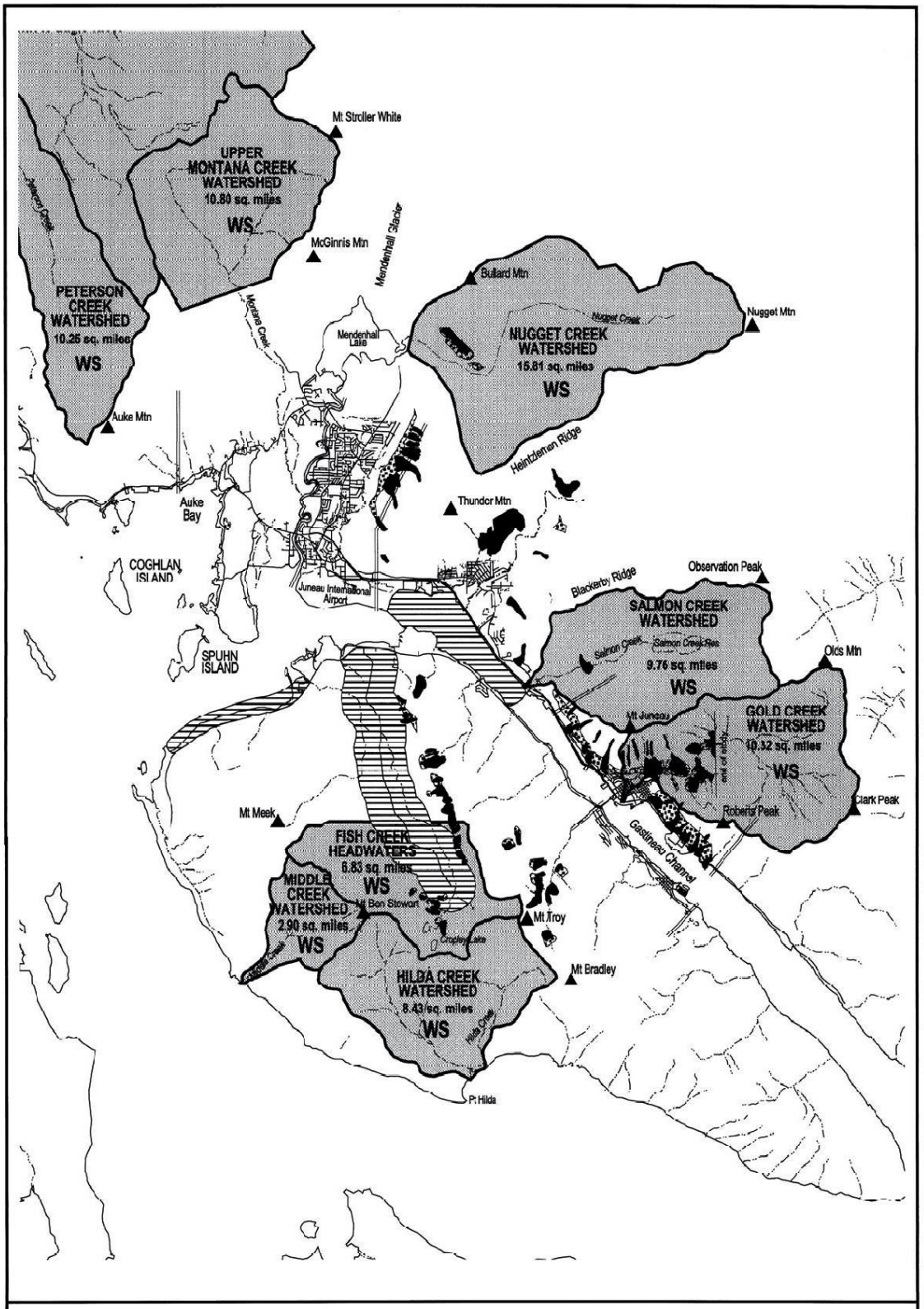
	New Growth Areas
	Mendenhall Wetlands State Game Refuge
	Subarea Boundary
	Urban Service Area
	Beach Access
	Streams

City & Borough of Juneau
COMPREHENSIVE PLAN
City & Borough of Juneau
Alaska's Capital City
Adopted October 20th, 2008
Ordinance No. 2008-30

N

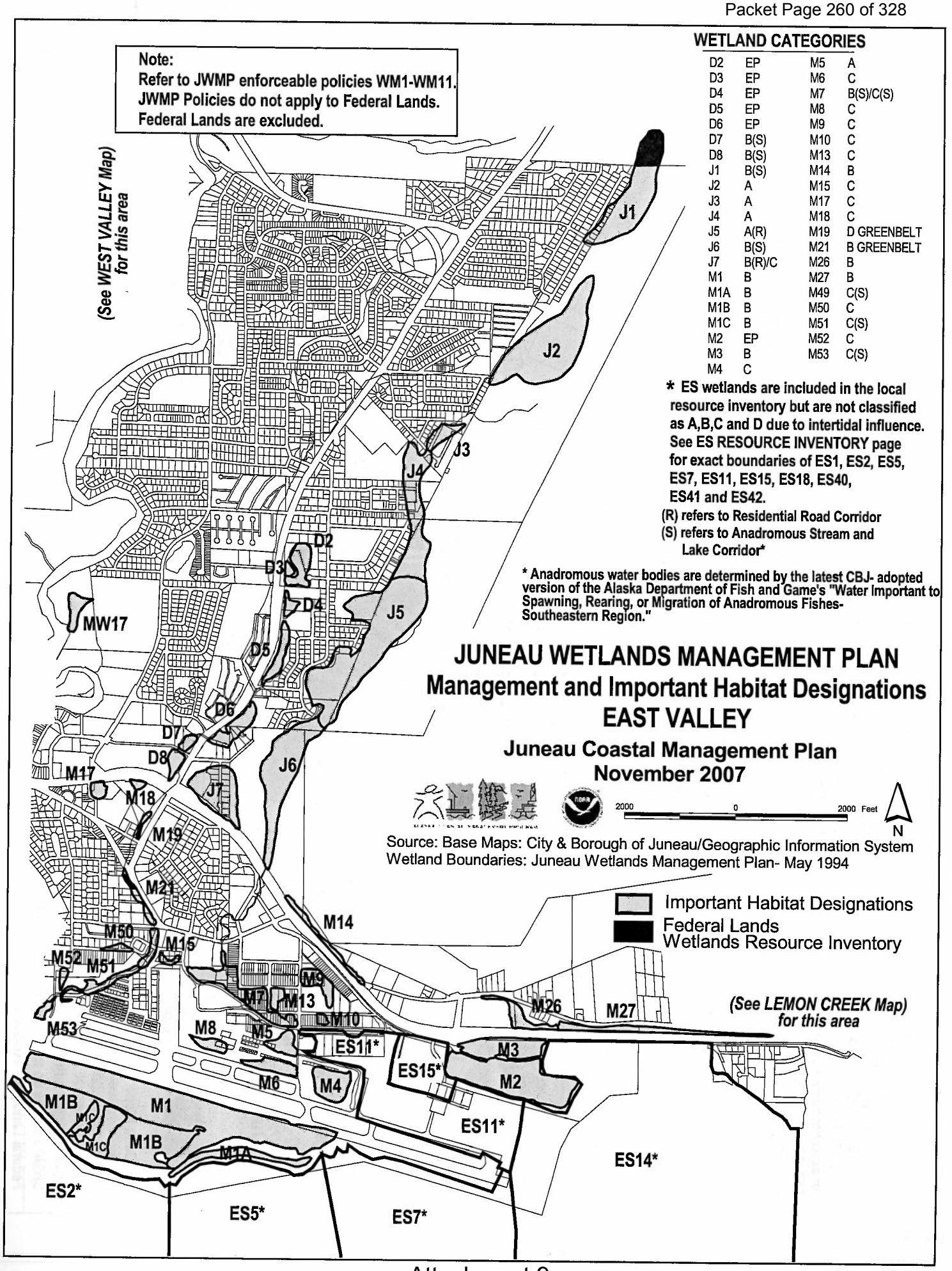
NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Prepared by: Community Development Department



Prepared by: Community Development Department

Attachment 8


Note:
Refer to JWMP enforceable policies WM1-WM11.
JWMP Policies do not apply to Federal Lands.
Federal Lands are excluded.
WETLAND CATEGORIES
D2 EP
D3 EP
D4 EP
D5 EP
D6 EP
D7 B(S)
D8 B(S)
J1 B(S)
J2 A
J3 A
J4 A
J5 A(R)
J6 B(S)
J7 B(R)/C
M1 B
M1A B
M1B B
M1C B
M2 EP
M3 B
M4 C
M5 A
M6 C
M7 B(S)/C(S)
M8 C
M9 C
M10 C
M13 C
M14 B
M15 C
M17 C
M18 C
M19 D GREENBELT
M21 B GREENBELT
M26 B
M27 B
M49 C(S)
M50 C
M51 C(S)
M52 C
M53 C(S)
* ES wetlands are included in the local resource inventory but are not classified as A,B,C and D due to intertidal influence. See ES RESOURCE INVENTORY page for exact boundaries of ES1, ES2, ES5, ES7, ES11, ES15, ES18, ES40, ES41 and ES42.
(R) refers to Residential Road Corridor
(S) refers to Anadromous Stream and Lake Corridor*
* Anadromous water bodies are determined by the latest CBJ- adopted version of the Alaska Department of Fish and Game's "Water Important to Spawning, Rearing, or Migration of Anadromous Fishes- Southeastern Region."
JUNEAU WETLANDS MANAGEMENT PLAN
Management and Important Habitat Designations
EAST VALLEY
Juneau Coastal Management Plan
November 2007
2000 0 2000 Feet
N
Source: Base Maps: City & Borough of Juneau/Geographic Information System
Wetland Boundaries: Juneau Wetlands Management Plan- May 1994
Important Habitat Designations
Federal Lands
Wetlands Resource Inventory
(See WEST VALLEY Map) for this area
(See LEMON CREEK Map) for this area
J1
J2
J3
J4
J5
J6
J7
D2
D3
D4
D5
D6
D7
D8
MW17
M17
M18
M19
M21
M50
M52
M51
M15
M14
M9
M7
M13
M10
M26
M27
M53
M8
M5
ES11*
M3
ES15*
M2
M6
M4
M1B
M1
M1C
M1B
M1A
ES11*
ES14*
ES2*
ES5*
ES7*

DEPARTMENT OF THE ARMY PERMIT

Permittee: Mr. Roscoe Bicknell IV, Bicknell, Inc.

Permit No.: POA-2012-750

Issuing Office: U.S. Army Engineer District, Alaska

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Utilize an existing pond, commonly referred to as "Honsinger Pond", as a disposal site for unclassified fill material. This work includes the placement of 953,000 cubic yards of fill material into 27 acres of lacustrine waters of the United States for disposal purposes.

All work will be performed in accordance with the attached plan, sheets **1-6**, dated April 27, 2015.

Project Location: The project site is located within Section 32, T. 40 S., R. 66 E., Copper River Meridian; USGS Quad Map Juneau B-2; located at the Honsinger Pond along Glacier Highway, in Juneau, Alaska.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2030.
If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Self-Certification: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a revaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Roger G Bicknell IV President Bicknell inc — Dec 23 2015

(PERMITTEE) AND TITLE — (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Jan 29, 2016

FOR (DISTRICT COMMANDER) — (DATE)
Colonel Michael S. Brooks
Jamie Hyslop, Project Manager
Southeast Branch, Regulatory Division

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

(TRANSFEREE) — (DATE)

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Environmental Conservation
DIVISION OF WATER
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/water/wwdp

October 30, 2015

Roscoe Bicknell IV
Bicknell Inc.
P.O. 33517
Juneau, AK 99803

Re: Gastineau Channel
Reference No. POA–2012-750

Dear Mr. Bicknell:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for placement of dredged and/or fill material in waters of the U.S., including wetlands and streams, associated with the development of a landfill for unclassified waste material.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit http://www.dec.state.ak.us/commish/ReviewGuidance.htm for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

James Rypkema
Program Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)
Matthew Brody, USACE, Juneau
Sigrid Dahlberg, Carson Dorn, Inc.
Jackie Timothy, ADF&G
USFWS Field Office Juneau
Mark Jen, EPA Operations, Anchorage

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

In accordance with Section 401 of the Federal Clean Water Act (CWA) and the Alaska Water Quality Standards (18 AAC 70), a Certificate of Reasonable Assurance, is issued to Bicknell Inc., attention Roscoe Bicknell IV, at P.O. Box 33517, Juneau, AK 99803, for placement of dredged and/or fill material in waters of the U.S. including wetlands and streams in association with the development of a landfill for unclassified waste in Juneau, Alaska.

The project includes using and existing pond (Honsinger Pond) as a disposal site for unclassified fill material. The work would include the placement of 953,000 cubic yards of fill material into 27 acres of lacustrine Waters of the U.S. for disposal purposes. The material would consist of unclassified land clearing waste such as stumps, organic overburden, and frost-susceptible soils.

A state issued water quality certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit (POA-2012-750) and a discharge of pollutants to waters of the U.S. located in the State of Alaska may result from the proposed activity. Public notice of the application for this certification was given as required by 18 AAC 15.180 in the Corps Public Notice POA-2012-750 posted from September 29, 2015 to October 28, 2015.

The proposed activity is located within Section 32, T. 40 S., R. 66 E., Copper River Meridian; Latitude 58.35516° N., Longitude -134.55418° W.; in Juneau, Alaska.

The Department of Environmental Conservation (DEC) reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the CWA and the Alaska Water Quality Standards, 18 AAC 70, provided that the following additional measures are adhered to.

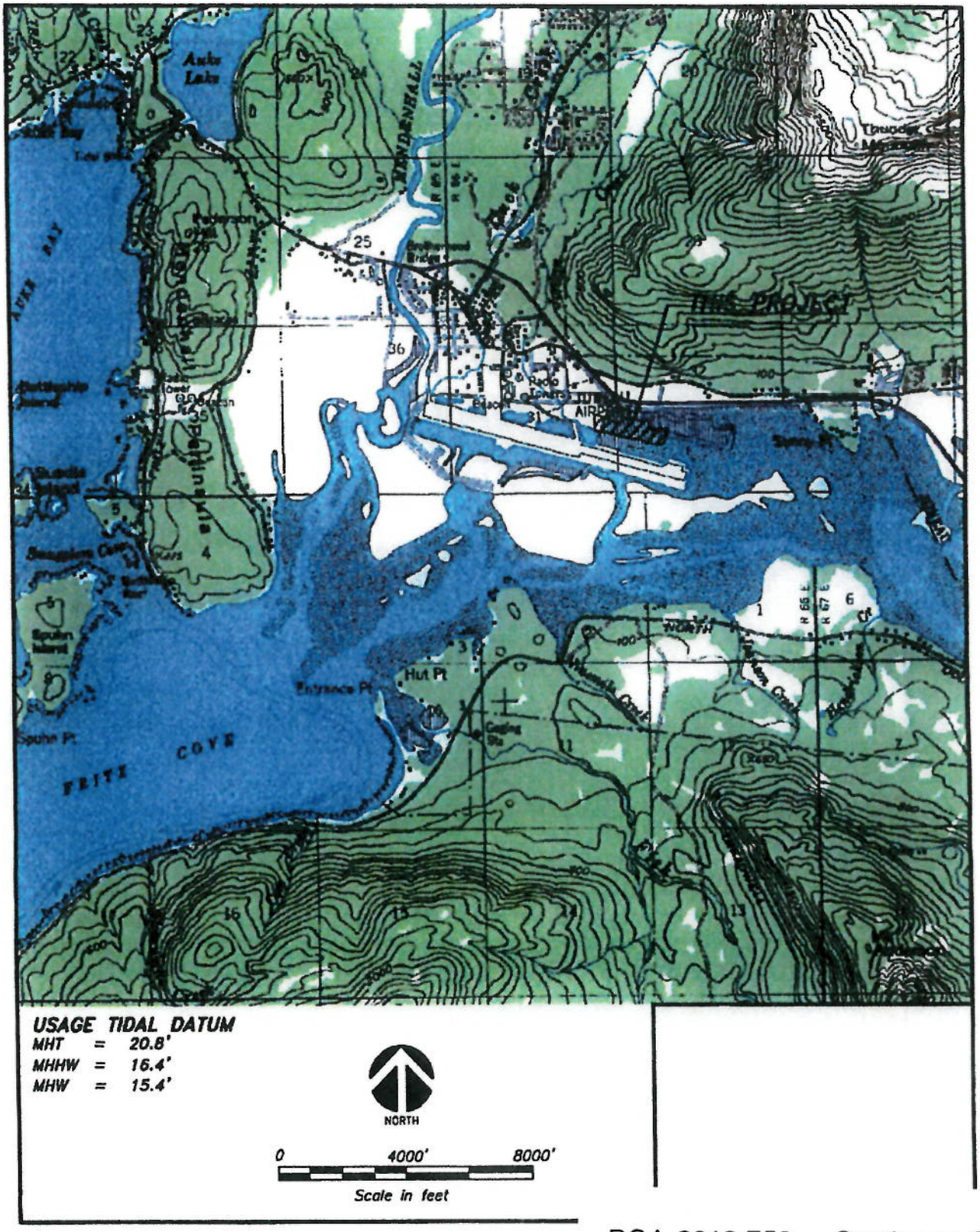
1. Reasonable precautions and controls must be used to prevent incidental and accidental discharge of petroleum products or other hazardous substances. Fuel storage and handling activities for equipment must be sited and conducted so there is no petroleum contamination of the ground, subsurface, or surface waterbodies.
2. During construction, spill response equipment and supplies such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze, or other pollutant spills. Any spill amount must be reported in accordance with Discharge Notification and Reporting Requirements (AS 46.03.755 and 18 AAC 75 Article 3). The applicant must contact by telephone the DEC Area Response Team for Southeast Alaska (907) 465-5340 during work hours or 1-800-478-9300 after hours. Also, the applicant must contact by telephone the National Response Center at 1-800-424-8802.
3. Runoff discharged to surface water (including wetlands) from a construction site disturbing one or more acres must be covered under Alaska's General Permit for Storm Water Discharges from Large and Small Construction Activities in Alaska (AKR100000). This permit requires a Storm Water Pollution Prevention Plan (SWPPP). For projects that disturb more than five acres, this SWPPP must also be submitted to DEC (William Ashton, 907-269-6283) prior to construction.

4. During the work construction equipment shall not be operated below the ordinary high water mark if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected and recorded in a log on a daily basis for leaks. If leaks are found, the equipment shall not be used and pulled from service until the leak is repaired.
5. All work areas, material access routes, and surrounding wetlands involved in the construction project shall be clearly delineated and marked in such a way that equipment operators do not operate outside of the marked areas.
6. Natural drainage patterns shall be maintained, to the extent practicable, without introducing ponding or drying.
7. Excavated or fill material, including overburden, shall be placed so that it is stable, meaning after placement the material does not show signs of excessive erosion. Indicators of excess erosion include: gullying, head cutting, caving, block slippage, material sloughing, etc. The material must be contained with siltation best management practices (BMPs) to preclude reentry into any waters of the U.S., which includes wetlands.
8. Include the following BMPs to handle stormwater and total stormwater volume discharges as they apply to the site:
   a. Divert stormwater from off-site around the site so that it does not flow onto the project site and cause erosion of exposed soils;
   b. Slow down or contain stormwater that may collect and concentrate within a site and cause erosion of exposed soils;
   c. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.
9. Fill material must be clean sand, gravel or rock, free from petroleum products and toxic contaminants in toxic amounts. If sheen appears during construction please contact DEC's Area Response Team for Southeast Alaska (907) 465-5340 and the contaminated sites program located in Juneau, Alaska at (907) 465-5390.
10. Any disturbed ground and exposed soil not covered with fill must be stabilized and re-vegetated with endemic species, grasses, or other suitable vegetation in an appropriate manner to minimize erosion and sedimentation, so that a durable vegetative cover is established in a timely manner.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under U.S Army Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date: October 30, 2015

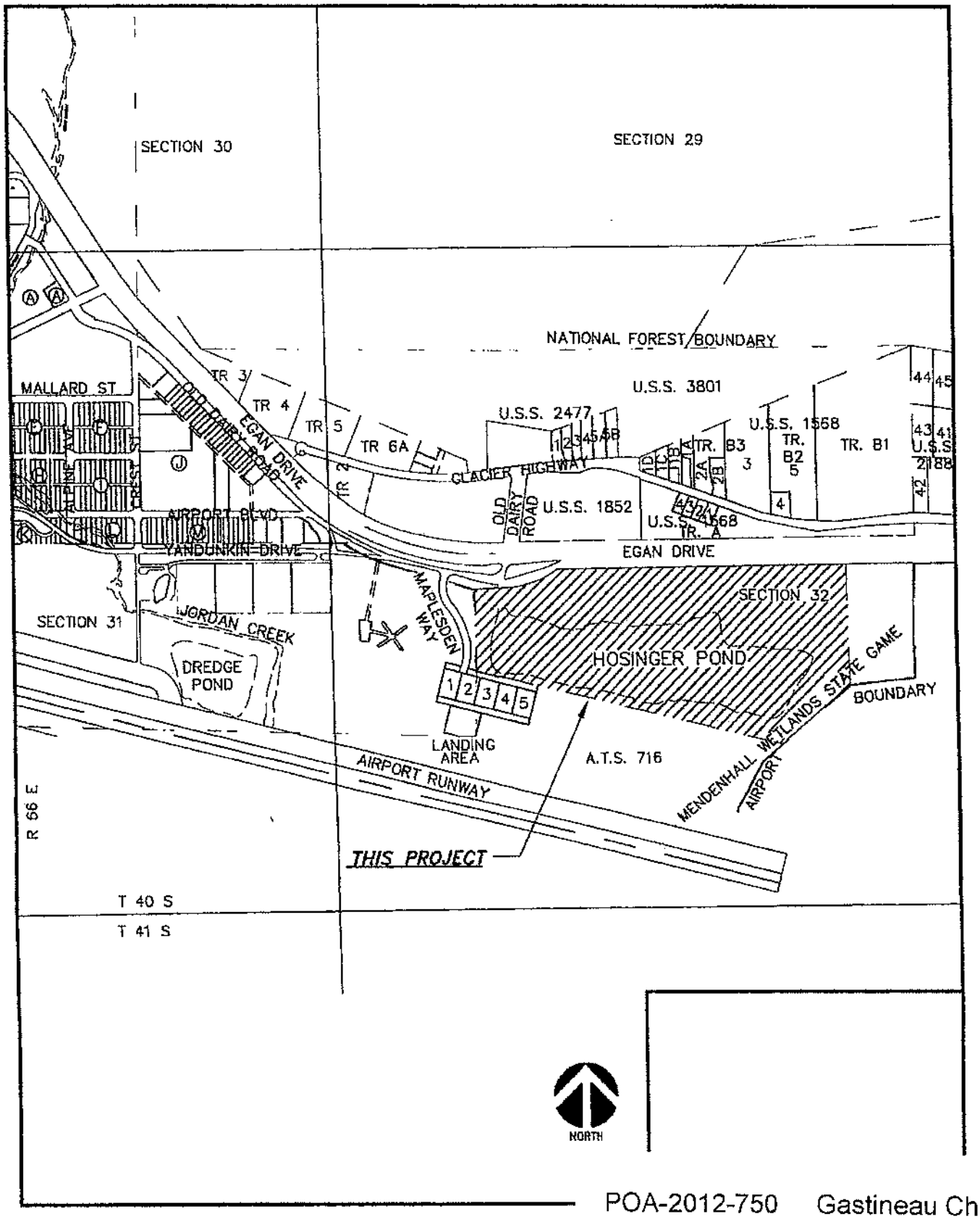
James Rypkema, Program Manager
Storm Water and Wetlands



POA-2012-750
April 27, 2015

Gastineau Channel
Sheet 1 of 6

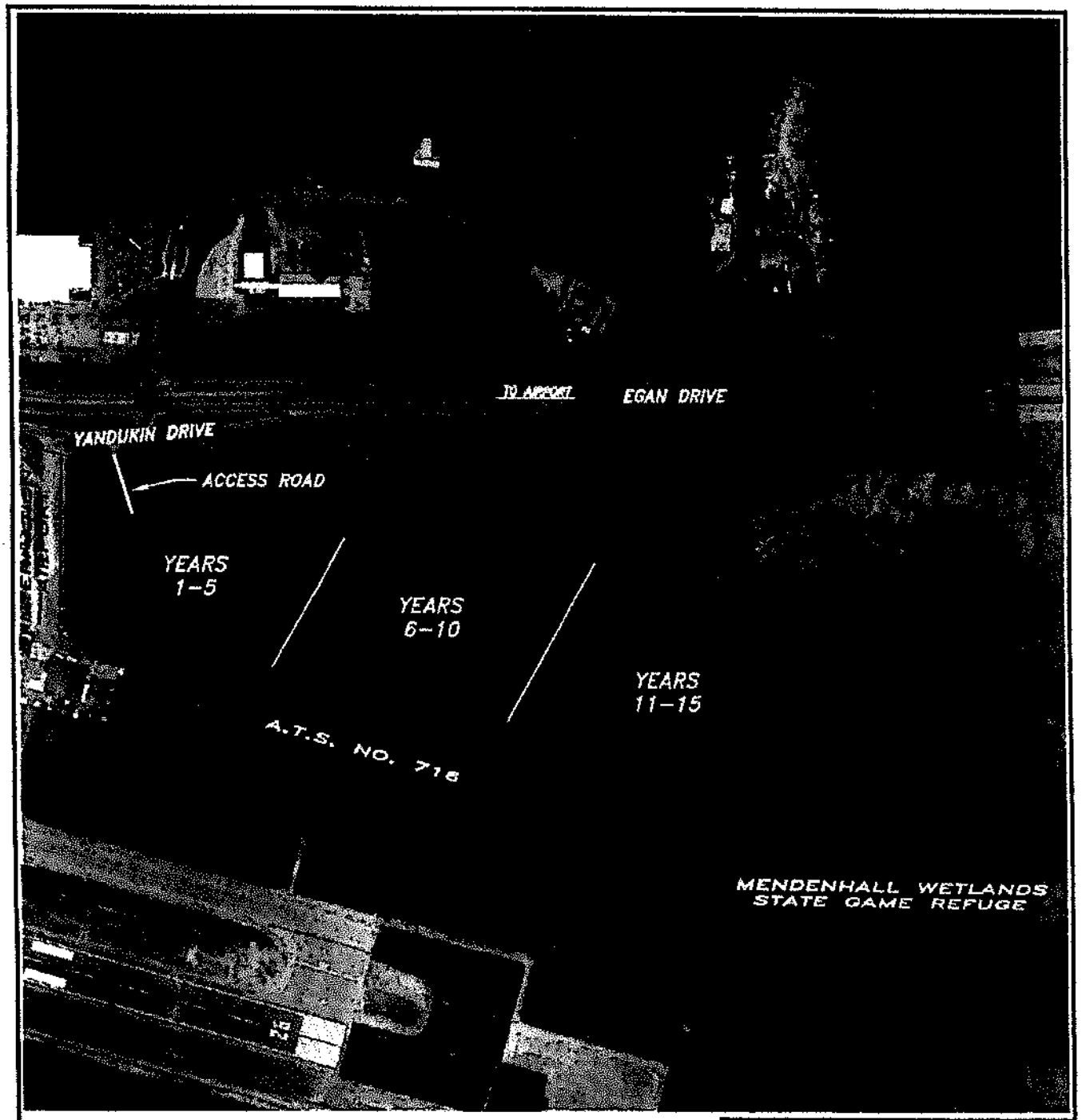
Attachment 10



POA-2012-750
April 27, 2015

Gastineau Channel
Sheet 2 of 6

Attachment 10



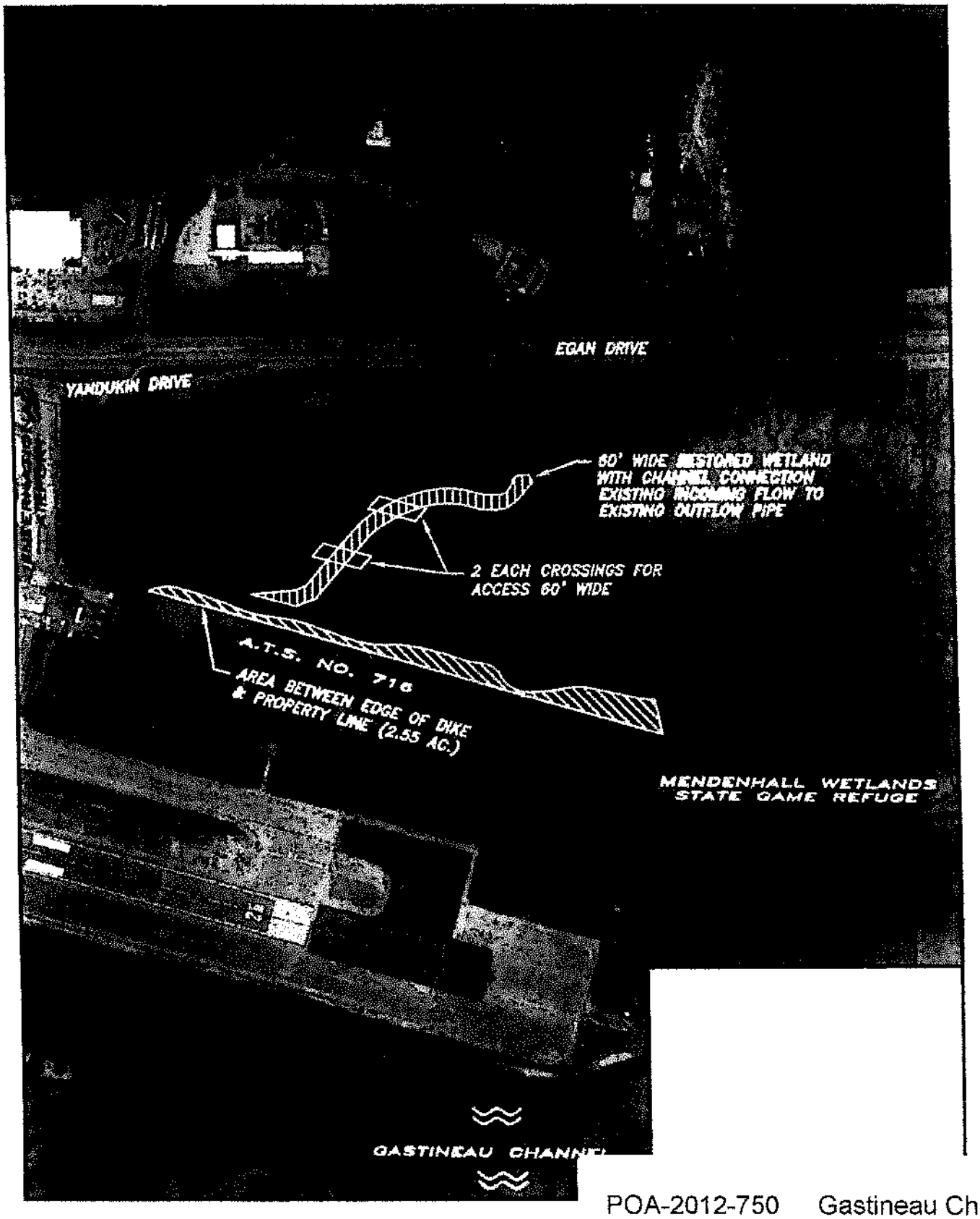
YEARS 1–5
DREDGE POND FILL AREA = 6.8 AC.
DREDGE POND FILL VOLUME = 240,000 C.Y.

YEARS 6–10
DREDGE POND FILL AREA = 11.1 AC.
DREDGE POND FILL VOLUME = 391,800 C.Y.

YEARS 11–15
DREDGE POND FILL AREA = 9.1 AC.
DREDGE POND FILL VOLUME = 321,200 C.Y.

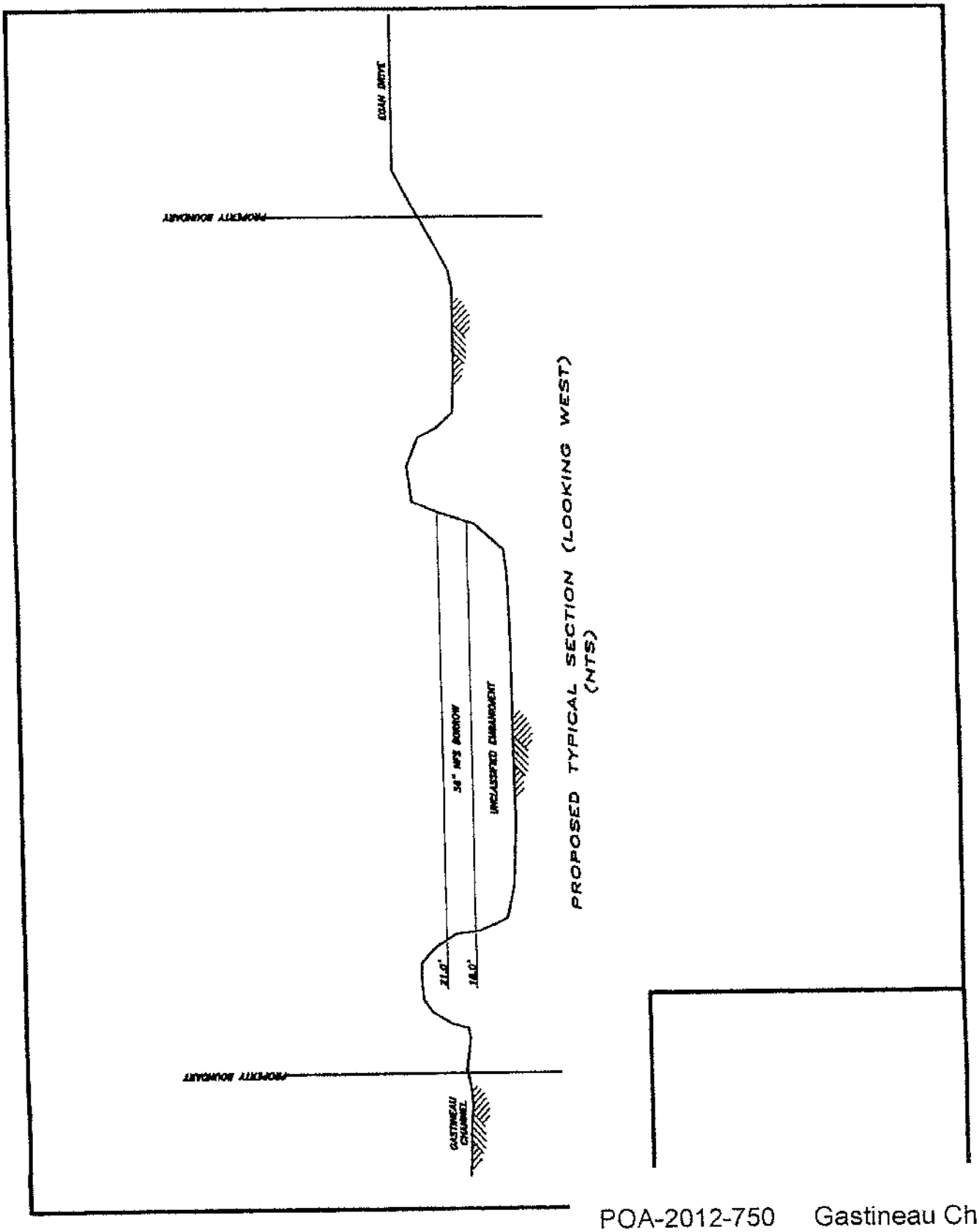
ENTIRE POND
DREDGE POND FILL AREA = 27.0 AC.
DREDGE POND FILL VOLUME = 953,000 C.Y.

POA-2012-750 Gastineau Channel
April 27, 2015 Sheet 3 of 6



POA-2012-750 Gastineau Channel
April 27, 2015 Sheet 4 of 6

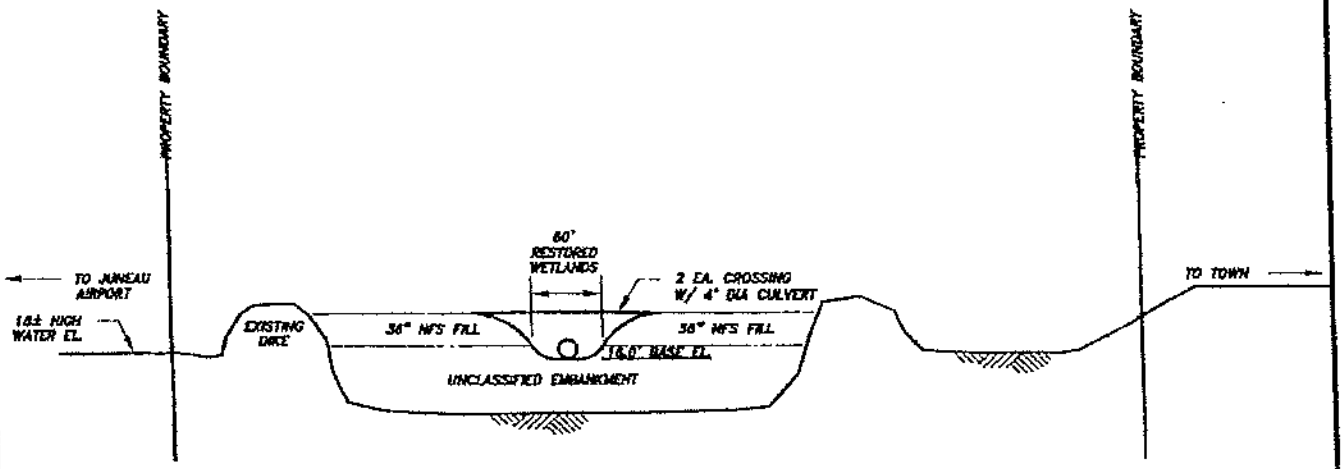
Attachment 10



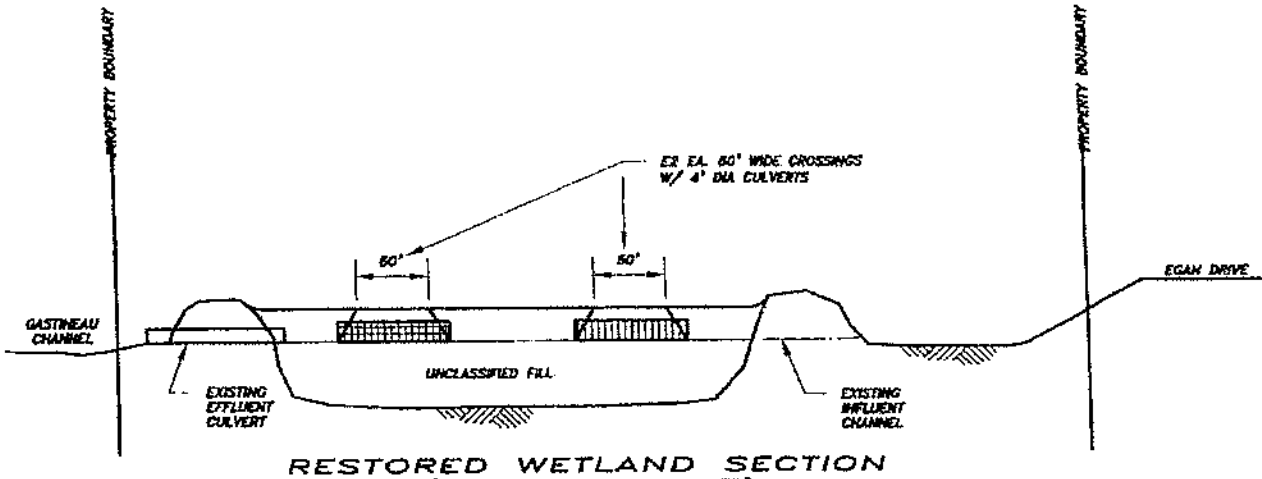
PROPOSED TYPICAL SECTION (LOOKING WEST)
(NTS)

POA-2012-750
April 27, 2015

Gastineau Channel
Sheet 5 of 6



RESTORED WETLAND SECTION
(LOOKING NORTH)
(NTS)



RESTORED WETLAND SECTION
(LOOKING WEST)
(NTS)

From: Haynes, Emily R (DOT)
To: Teri Camery
Cc: Patty Wahto (deLaBruere); Ken Nichols; Buck, Joseph T (DOT); Epstein, David B (DOT); Heidemann, Marie E (DOT)
Subject: RE: Agency comments requested for re-zone application
Date: Tuesday, July 26, 2016 1:47:38 PM

Teri,

DOT&PF has included this access point in our projects along Yandukin. Within Alaska Preconstruction Manual (450.12.3), the driveway is considered to be permitted as-is per the as-builts for these projects. However, once the 1) land use of property served is changed; 2) the location of the driveway is changed, or; the driveway is modified in any other way (e.g. width, radii, grade, etc.) the landowner is required to obtain a new permit. Due to the fact that this is going to be rezoned to industrial, it is subject to a new review and permit.

Within any subsequent driveway permit review, these are some major concerns that we've identified with allowing the access:

- The location is classified as an intersection and we have minimum distance requirements for access points from intersections
- Road classification
  - The on ramp is classified as a principal arterial and the rest of Yandukin is a major collector
  - Arterials are controlled access and private drives are not allowed; major collector allow us to limit accesses
- Alternative access to Maplesden present (unless it was restricted in the right of way designation)
- Safety Issues
  - Left hand turning vehicles from Egan (northbound) into the property could be stopped by southbound Yandukin traffic which may result in vehicles backing up across Egan
  - Left hand turning vehicles from the property onto Yandukin would have to watch northbound Egan traffic (those turning left to Yandukin) as well as southbound Yandukin traffic
  - Right hand turning vehicles on to the Yandukin on ramp would have to speed up to Egan speed
  - Right hand turning vehicles from Yandukin into the property would stop those trying to gain speed to Egan

There may be more issues that come to light during a review and there may be concessions we allow with approved development plans.

DOT&PF would prefer the property owner to use Maplesden Way as the access point as it is already existing and is far safer than allowing industrial facilities and associated traffic to the existing point of access.

Thank you,

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Monday, July 18, 2016 3:22 PM
To: Haynes, Emily R (DOT)
Cc: Patty Wahto (deLaBruere); Ken Nichols
Subject: RE: Agency comments requested for re-zone application

Hi Emily,

I have several questions for you and DOT.

Mark Pusich at R&M provided that series of drawings showing that DOT has accepted the driveway within the right-of-way at this location since 1981, continuing through successive improvements to Egan Drive and Yandukin several times through 2012. My question for you is, do you have anything in DOT's records that would indicate that the acceptance of the driveway is/was tied to any specific uses of that property? In other words, if the use of that property significantly changed with authorization of the re-zone or through some other method, would/could DOT re-evaluate the legal rights to access along the right-of-way? Or would that be upheld regardless of the use, as a pre-existing right?

There are several questions within questions here. The proposed change from Rural Reserve to Industrial could lead to (but does not definitely lead to) more commercial use. And I wonder if there is a threshold of commercial use where DOT would not accept the driveway in the right-of-way at the on-ramp there. It may be that that scenario would be evaluated with a specific development proposal instead of the re-zone. But some commercial developments in Industrial would require a building permit only, not Planning Commission review with a public safety review.

It has been suggested to me that after we receive the information we're waiting for from the Juneau International Airport regarding the designation of Maplesden Way--and the formal prohibition on anything except aviation use for that road--that CDD and DOT should work together to determine a new access point, through CDD's assessment of health, safety and welfare in the re-zone review. That's a log sentence, forgive me!

Thanks very much for your help.

Teri

Teri Camery, Senior Planner

City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

Please consider the environment before printing this email.

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, June 30, 2016 2:00 PM
To: Teri Camery
Cc: Heidemann, Marie E (DOT)
Subject: RE: Agency comments requested for re-zone application

Teri,

The CBJ Atlas and GIS site show different property lines than what DOT&PF and the applicant have.

- The applicant shows the western property line as bordering the Maplesden Way ROW – is this accurate?
- Could you please clarify where the landowner intends to provide access to this industrial lot?
- Is there any reason CBJ would not support access from the industrial facilities to Maplesden Way?

Thank you,

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Heidemann, Marie E (DOT)
Sent: Friday, June 24, 2016 8:11 AM
To: Haynes, Emily R (DOT); Trousil, Robert E (DOT); Carroll, Lawrence P (DOT); Epstein, David B (DOT); Schmidt, Joanne M (DOT); Buck, Joseph T (DOT); Hughes, Andrew N (DOT); Gray, Scott J (DOT); Stevens, Mike A (DOT)
Subject: FW: Agency comments requested for re-zone application

Comments to me please.

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Thursday, June 23, 2016 4:39 PM
To: Charlie Ford; Ron King; Greg Chaney; Ed Foster; Dan Jager; darrell.wetherall@aelp.com; Heidemann, Marie E (DOT); Pikul, Gretchen M (DEC); Timothy, Jackie L (DFG); 'Randy Vigil'; Robin Potter; 'John_Hudson@fws.gov'
Subject: Agency comments requested for re-zone application

Hello everyone,

We have received a re-zone application to change 23 acres from Rural Reserve to Industrial in property along Egan Drive between Fred Meyer and the airport, formerly known as the Honsinger Pond or Field of Fireweed area. This is a modification of a previous re-zone request.

Please review the attached application materials and provide comments no later than 4:30 pm on Monday July 11. Please let me know if you have questions or need additional information.

Thanks very much for your time.

Teri Camery

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

Please consider the environment before printing this email.

This list of federal requirements/regulation should accompany the Airport Comments dated November 18, 2016.

FAA Airport Compliance Manual Order 5190.6B, page 20-1, 2009.

Definition of Compatible Land Use

Compatibility of land use is attained when the use of adjacent property neither adversely affects flight operations from the airport nor is itself adversely affected by such flight operations. In most cases, the adverse effect of flight operations on adjacent land results from exposure of noise sensitive development, such as residential areas, to aircraft noise and vibration.

Land use that adversely affects flight operations is that which creates or contributes to a flight hazard. For example, any land use that might allow tall structures, block the line of sight from the control tower to all parts of the airfield, inhibit pilot visibility (such as glaring lights, smoke, etc.), produce electronic aberrations in navigational guidance systems, or that would tend to attract birds would be considered an incompatible land use. For instance, under certain circumstances, an exposed landfill may attract birds. If open incineration is regularly permitted, it can also create a smoke hazard.

FAA Land Use Compatibility and Airports, page III-14, 1998.

FAR Part 77, in effect identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The extent of the off-airport coverage needing to be evaluated for tall structures impacts can extend miles from an airport facility.

Airport Sponsor Assurances, page 1, 2014.

A. General

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.

2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term ‘public agency sponsor’ means a public agency with control of a public-use airport; the term “private sponsor” means a private owner of a public-use airport; and the term ‘sponsor’ includes both public agency sponsors and private sponsors.

3. Upon acceptance of [a] grant offer by the sponsor, these assurances are incorporated in and become part of [a] grant agreement.

B. Duration and Applicability

1. Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.

The terms, conditions and assurances of [a] grant agreement shall remain in full force and effect an airport development or noise compatibility program project, or acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project

Airport Sponsor Assurances, page 5, 2014.

Grant Assurance 5. Preserving Rights and Powers.

a. [The Airport] will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

b. [The Airport] will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.

c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.

f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.

g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

Grant Assurance 21. Compatible Land Use – [The Airport] will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

<u>Airport Sponsor Assurances, page 17, 2014.</u>

Grant Assurance 31. Disposal of Land

a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary

for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

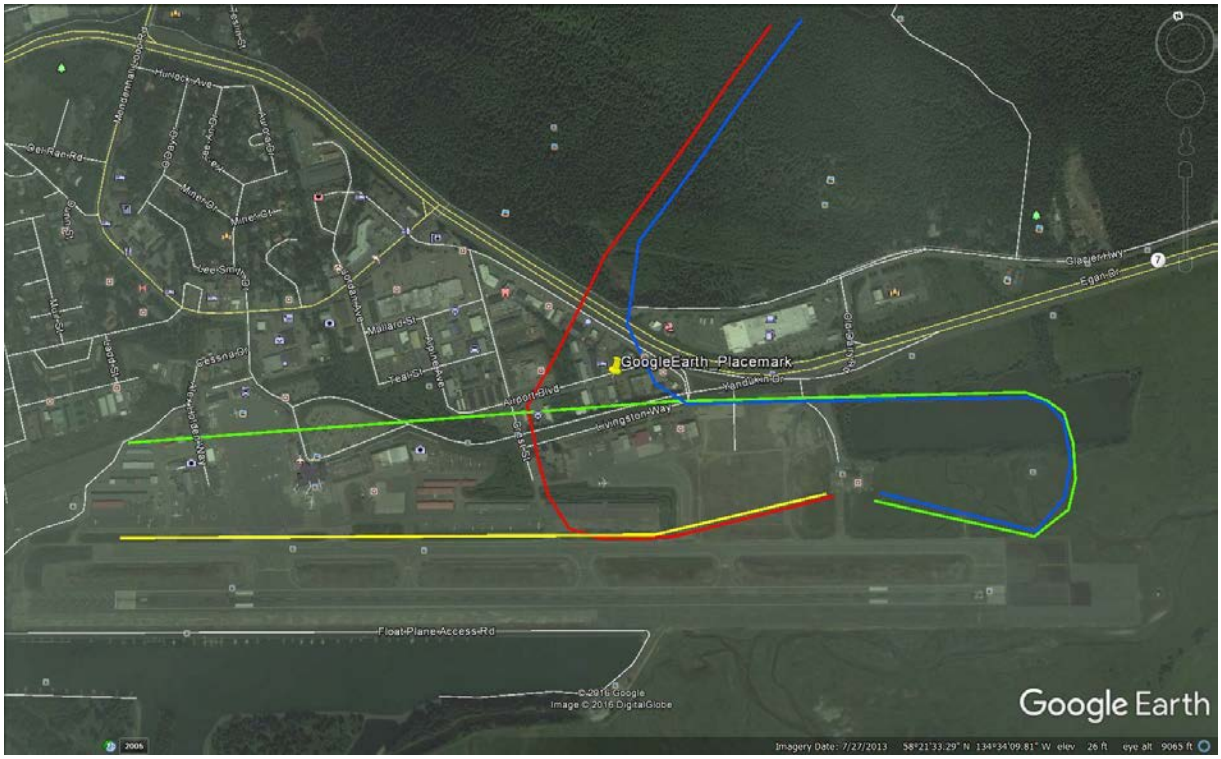
Juneau International Airport
November 18, 2016:

Comments on Bicknell Property, aka Honsinger Pond, A Fraction of Tract B, USS 1568 & USS 1852, Adjacent to NE Quadrant of Juneau International Airport.

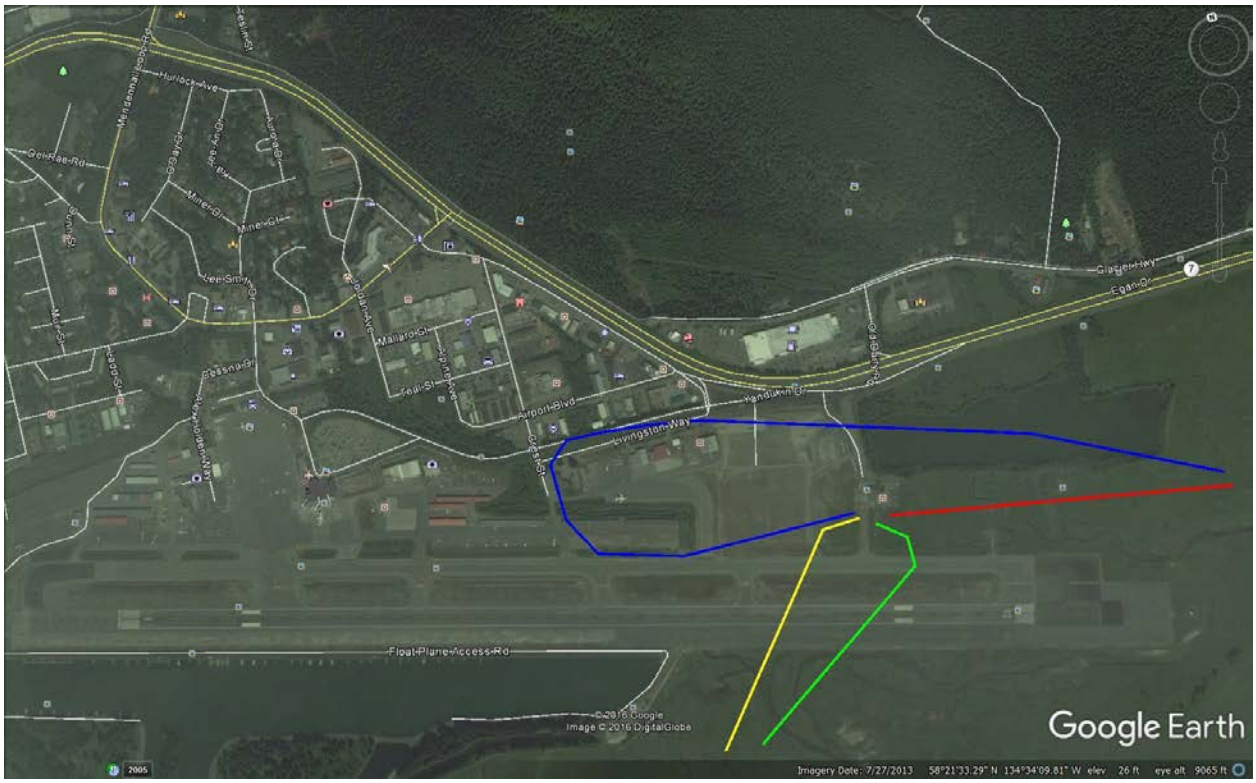
The Airport's comments on the above property are two-fold: Bicknell's request to Rezone and Access to the property (if rezoned). It is the Airport's understanding that the property owner is in the process of requesting a condition use permit and rezone from Rural Reserve to Industrial.

The Airport contends there are potential restrictions to this parcel due to its location adjacent to the Airport. Granting a conditional use and/or rezone is premature. The City and the property owner should be put on notice about the restrictions to established flight paths and use that is compatible with airport and safe flight operations.

Conditional Use/Rezone:
Any steps to rezone this property must take into consideration future use in proximity to the Airport per FAA Land Compatibility Use . The property is situated in an established flight corridor for the adjacent heliport. TEMSCO has been operating from the heliport since 1983. Flight patterns require helicopters to stay north of the runway and typically fly over the 'Pond' area. This flight pattern keeps helicopters away from the runway corridor, and out of the '*missed*' approach path for Instrument (IFR) traffic from either direction on the runway (Runway 8 or 26). Airport grant assurances require airports to maintain these flight corridors/airspace (not allow building into established flight paths). Obstructions to airspace and/or navigation are prohibited. See attached TEMSCO Flight Paths.



TEMSCO Route 1: The Routes 1 depicts arrival and departure routes for steep creek in red and blue. The green and yellow would be Auke bay and Mendenhall departures and arrivals. Routes would be revered for wind direction i.e. East/West flow.



TEMSCO Route 2: The Routes 2 depicts departures to the downtown Egan area or lemon creek/Blackerby in red and blue. Departures south of the runway are depicted in green and yellow.
Routes would be revered for wind direction i.e. East/West flow.

As such, Federal Aviation Administration (FAA) requires protection of airspace around airports under 14 CFR Part 77—SAFE EFFICIENT USE, AND PRESERVATION OF THE NAVIGABLE AIRSPACE. Proposed development (now or future) requires assessment. Any conditional use or rezone should stipulate established and future aeronautical need to preserve airspace and instrument approaches. This includes the Airport's future goal of extending the east Runway 26 Airport approach lighting system for the Medium Intensity Approach Lighting System with Runway Alignment Indicator (MALSR).

FAA strongly recommends that any development near aircraft approach and departure paths be for low level concentration of people. The FAA does not recommend developing churches, schools, sporting event areas (football, baseball, racetracks, etc.), parks, etc. Accident data shows that majority of crashes tend to occur near runway ends (fixed wing aircraft), as well as below and adjacent to approach and departure flight paths (helicopter, fixed wing) therefore discourage development in those areas.

The Airport currently has an abbreviated Medium Intensity Approach Lighting System (MALS). While the installation of the equipment itself does not impact the Bicknell property, the property is within the aircraft instrument containment area. The Required Navigation Procedures (RNP) developed by both Alaska Airlines and Delta Air Lines for landing with reduced minimums (ceilings and visibility) specifies a containment area that extends north of the runway and penetrates the eastern portion of the pond and property. Development in this area must be assessed for the impact to the containment area for this approach. When the approach lighting system expands to a full MALSR, the air carrier minimums are reduced further; and the containment area for the RNP increases, and would further impact the

pond/property for development. It does not mean that the property cannot be 'developed' due to RNP, but it would need further assessment by FAA and air carriers and may have limitations.

Certain types of new development adjacent to airports are prohibited by the FAA. Development near an airport/approach corridors prohibit development or activity which would attract wildlife (AC 150/5200-33B) and become a hazard to aircraft operations. Again, a stipulation on a conditional use or rezone should require full disclosure on exact development or use so that the Airport and FAA may assess hazardous or wildlife attractant conditions.

For example: The Airport understands that there is a proposed motocross for the property. Dust associated with this type of activity is considered hazardous for large air carrier operations, helicopters in this area. When airports are under construction, the airport or contractors are tasked with applying dust palliative to prevent ingestion to aircraft and wing flaps. A dust palliative should be required to keep dust from drifting to the airport/aircraft; as well as keep a 'dust haze' abated (Soldotna Airport). The Airport experienced dust issues during the Runway Safety Area project and dust control measures were required for safety. While the dust may also impact Egan, the consideration is beyond the discussion for the Airport, but should be considered overall. Dust is a concern for motocross activities nationwide, but especially at airports.

Additionally, the Airport is finalizing the updated 20-year Sustainability Master Plan (Spring 2017). As a part of that plan, the Airport must update their Noise Contour mapping. The baseline of 65dB and higher (70 and 75 dB) is detailed on the 2015 Draft Noise Contour Model; and for future planning, the 2035 Draft Noise Contour Model. Development in the area will need to consider the Noise Contour mapping for noise sensitive improvements (hotels, etc). Also refer to 14 CFR Part 150.

Use and/or rezone should require the owner to complete an aviation compatibility use study. This 'step' is required for anything related to the airport especially because of its location. The property lies within noise sensitive areas, RNP containment for instrument approaches, flight paths for helicopters and height restrictions on improvements. Consideration of wildlife attractants, dust control measures and non-compatible use in the vicinity of an airport need to be assessed. Additionally, any development on the adjacent parcel would require the appropriate airspace determinations and consideration of wildlife hazards/height/obstructions on any planned development.

Access:

Bicknell's property (Honsinger Pond) currently has driveway access along the on-ramp to Egan. If the owner proposes different use/rezone, the State of Alaska will not allow a public entry at the driveway location due to traffic. (Note that the entrance to Maplesden off Yandukin is as close to the on-ramp of Egan as the State/Alaska will allow.) There is a request to use Maplesden Road for access to the Bicknell property. Maplesden Road is Airport property; not a public right-of-way. The property tract containing Maplesden is subject to FAA rules for land use (refer to FAA Order 5190.6B FAA Airport Compliance Manual for Federally Obligated airports). Masplesden Road was built by TEMSCO Helicopter in 1983 in exchange for rent credit. In 2009-2011, Maplesden Road was relocated (and straightened) with FAA Airport Improvement Program (AIP) funding. The purpose of AIP funding is to support aviation

development and Maplesden provides access to existing aviation users as well as to areas intended for future aviation growth and build up the Northeast quadrant of the airport. This is an aviation-use road maintained by the Airport and Airport funds.

The FAA would consider access from Maplesden to an off-airport, non-aeronautical user without reimbursement, to be a violation of the Airport's grant assurances. Non-aeronautical lease and rates could apply for a portion of the area (to allow access), so long as it is under lease with the Airport and the Airport could terminate at any time. The Airport is obligated to protect its assets as well as airspace.

- Maplesden Road was reconstructed with AIP funds as an airport road. Refer to **Table P-3 of the AIP handbook (Order 5100.38D)** which stipulates eligibility criteria for access roads. If the Airport allows the proposed access without benefit back to the Airport , FAA may consider a portion of Maplesden Road to be ineligible and require reimbursement of the AIP funds. Benefits may include a limited non-aeronautical lease/rate, a land trade for the access area, or sale of land (requires federal process and costs).

- As outlined in FAA Order 5190.6B, Maplesden Road is part of Tract 14 (conveyed via Quit Claim Deed in 1975) of the Juneau International Airport Exhibit 'A' Land Map (FAA legal land ownership document) and part of the Airport Layout Plan (ALP), which designates ownership of the Tracts/how obtained, etc. This is an official FAA –Airport signed document. With each federal grant, the Airport and CBJ Attorney sign acknowledging that they abide by the FAA AIP Grant Assurances. This includes the preservation of airport land for aviation purposes, air space etc. See airport-sponsor-assurances attachments section 5, 21, 31. All Airport land is subject to Federal land use, obligations and grant assurances regardless of how it was originally acquired. Please refer to Exhibit A/Airport Layout Plan.

The Airport has outlined the following 'choices' on Honsigner Pond access:

1) Do nothing; no rezone. Property used as-is.
2) *Allow Public Access through property transfer/disposal of property. This is a federal process that takes time through Federal Register and assess value of property loss (as well as reimbursement of AIP funds to the FAA).
3) *Land Swap. Public Access in exchange for other adjacent property for airport use.
4) *Airport would purchase Honsinger Pond land outright (need a financial plan)
5) *Combination: Airport purchase Honsinger Pond through partial cash + Bicknell use of land for dumping (stumps and unsuitable material) for a period of time or to make up difference in total cost $.
6) Aviation Compatibility Use Study (regardless, all the * items 2-5 would require this process), another updated appraisal on the property is required since the current one is too old for FAA, and separate from the Use Study.
    a. Identify Aviation current/future use & impact
    b. FAA rules for adjacent to airport
    c. FAA funding rules/operations in area (NOTE: new noise compatibility contours in draft; extends noise area further out)
    d. Liabilities/opportunities for the Airport.

It is in the best interest of the Airport to protect its land assets and a requirement to protect airspace and navigation.

Some Additional References:

Order 5190.6B
AIP Handbook (Order 5100.38D)
The below are the main resources used for justification:

1. FAA Order 5190.6B Airport Compliance Manual (Ch. 20, Compatible Land Use and Airspace Protection
2. ACRP Report 27. Enhanced Airport Land Use Compatibility, Volume 1: Land Use Fundamentals and Implementation Resources.

b. Guidance. There are a number of sources that can assist an airport sponsor in dealing with noise, obstructions, and other incompatible land uses. Some of these are:

(1). *A Model Zoning Ordinance to Limit Height of Objects Around Airports*, Advisory Circular (AC) 150/5190-4A.

(2). *Citizen Participation in Airport Planning,* AC 150/5050-4.

(3). *Guidelines for Considering Noise in Land Use Planning and Control,* Federal Interagency Committee on Urban Noise, June 1980.

(4). *Hazardous Wildlife Attractants on or Near Airports*, AC 150/5200-33B, August 28, 2007.

(5). *Noise Control Planning,* FAA Order 1050.11A, January 13, 1986.

(6). *Noise Control and Compatibility Planning for Airports*, AC 150/5020-1.

(7). *Federal and State Coordination of Environmental Reviews for Airport Improvement Projects*. (RTF format) – Joint Review by Federal Aviation Administration and National Association of State Aviation Officials (NASAO), issued March 2002.

(8). *Land Use Compatibility and Airports, a Guide for Effective Land Use Planning* (PDF format), issued by the FAA Office of Environment and Energy.

(9). *Compatible Land Use Planning Initiative* (PDF format), 63 Fed. Reg. 27876, May 21, 1998.

(10). *Draft Aviation Noise Abatement Policy 2000* (PDF format) 65 Fed. Reg. 43802, July 14, 2000.

(11). *Airport Noise Compatibility Planning Toolkit – FAA's Initiative for Airport Noise and Compatibility Planning*, issued by the FAA Office of Environment and Energy.

From: Patty Wahto (deLaBruere)
To: Trinidad Contreras; Rob Steedle
Cc: Patty Wahto (deLaBruere); Amy Mead
Subject: Development of Adjacent Property Commonly Referred to as Honsinger Pond
Date: Wednesday, November 23, 2016 11:17:12 AM
Importance: High

Good Morning.

This message provides some resources for compatible land use in general and specifically related to the property northeast of the airport, east of Maplesden, and north of TEMSCO helicopters commonly referred to as Honsinger Pond currently owned by Bicknell, Inc.

FAA and several states have extensive guidance on compatible land use. Below are some links to relevant guidance documents.

FAA: http://www.faa.gov/about/office_org/headquarters_offices/apl/noise_emissions/planning_toolkit/media/III.B.pdf
Washington: http://www.wsdot.wa.gov/aviation/Planning/ACLUguide.htm
Oregon: http://www.oregon.gov/aviation/pages/landuseguidebook.aspx

In particular the Bicknell property adjacent to the airport is affected by or will have an impact on many things because of its proximity to the airport. Most of the items below are described within or referenced by the airport design guide AC 150/5300-13A, but there are more than 100 guidance documents that include relevant topics.

- Imaginary surfaces related to the airspace of the airport described in Federal Aviation Regulation (FAR) Part 77.
- TERPS (Terminal Instrument Procedures) related to instrument arrivals and departures at the airport.
- Safety Containment Areas that are a part of the Required Navigation Performance (RNP) special procedures developed by both Alaska Airlines and Delta Air Lines.
- Visual flight paths of aircraft in the vicinity and over the property governed by the Juneau Commercial Operators Letter of Agreement. https://sites.google.com/site/juneauloa/
- Visual flights paths of helicopters, TEMSCO in particular.
- Noise impacts from helicopters as shown in the Draft Noise Impact contours developed in the Airport Master Plan. These maps show impact to a large portion of the property at a “significant” level. Residential use of any kind would be incompatible in the greater than 65 DNL impact area.
- Clear zones around the Airport Surface Observation System (ASOS).
- Wildlife hazards. In order to minimize attraction to wildlife certain uses should be prohibited. FAA provides guidance for landfills in AC 150/5200-34A.

Any development of the property must be carefully coordinated with the airport as the airport is required to take action to protect the operations of the airport through grant assurances and operating certificate requirements. Development of the Bicknell property poses particular concern because access to the property is being considered through the airport property. FAA has layer upon layer of requirements for use of airport property by an outside user. In addition, FAA has strict requirements for “release” of property that is encumbered by grant assurances restrictions. Below are links to a few of the documents:

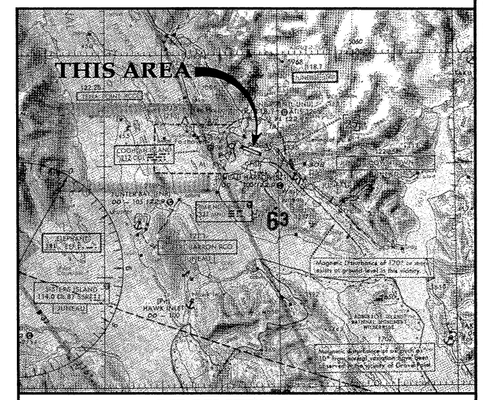
AIP Handbook: http://www.faa.gov/airports/aip/aip_handbook/
14 CFR Part 139: http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=8313bcceee050ec81d7e8fb3377331177&rgn=div5&view=text&node=14:3.0.1.1.14&idno=14
Grant Assurances: http://www.faa.gov/airports/aip/grant_assurances/ These vary over time so the appropriate assurances must be consulted.
Airport Compliance Handbook: http://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/

In my opinion, development of the property without due consideration of impacts to the airport could have an adverse affect on the operations of the airport. Everyone should be aware that FAA does not typically enforce against the property owner or developer in cases of penetrations to airspace or new obstructions erected in approach and departure surfaces. Enforcement falls on the local jurisdiction. If action is not taken by the local jurisdiction, then FAA will take action to restrict aircraft operations to maintain safety, which could result in an adverse affect on the operations of the airport.

Patty Wahto
Airport Manager
Juneau International Airport
(907) 789-7821

NOTE NEW EMAIL: Patty.Wahto@jnuairport.com

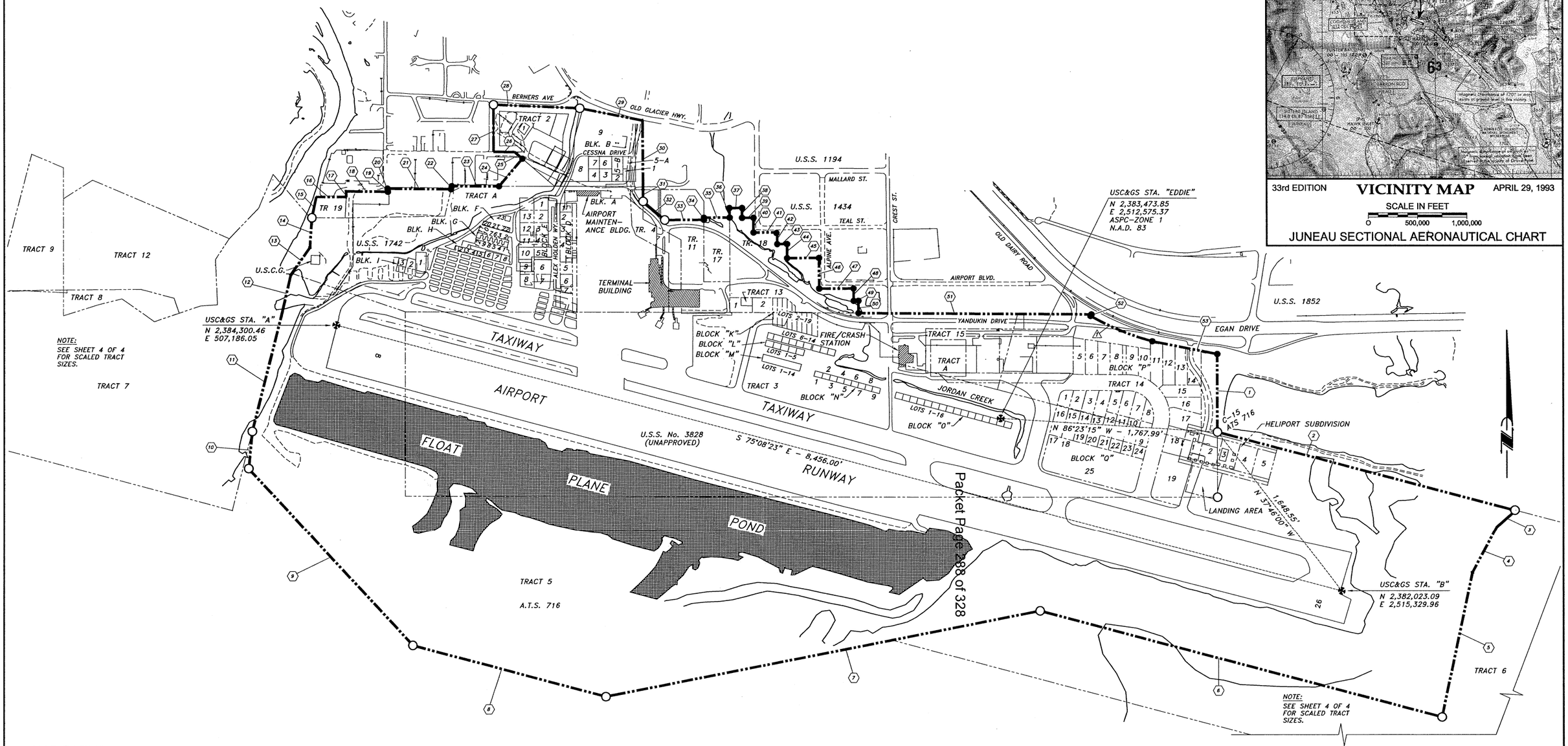
R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS



33rd EDITION **VICINITY MAP** APRIL 29, 1993

SCALE IN FEET
0 500,000 1,000,000

JUNEAU SECTIONAL AERONAUTICAL CHART



LEGEND

- JUNEAU INTERNATIONAL AIRPORT BOUNDARY LINE
- BOUNDARY / PROPERTY LINE
- PRIMARY SURVEY MONUMENT
- SECONDARY SURVEY MONUMENT
- BUILDING
- EDGE OF RIVER, CREEK, POND, ETC.
- GRAVEL ROAD
- EDGE OF PAVEMENT

JUNEAU INTERNATIONAL AIRPORT
LAND STATUS MAP WITH BOUNDARY DIMENSIONS

GRAPHIC SCALE IN FEET
0 400 800 1200 1600 2000 2400 2800 3200

JUNEAU INTERNATIONAL AIRPORT
EXHIBIT "A"
LAND STATUS MAP

CLIENT:
C.B.J. AIRPORT DEPARTMENT
1873 SHELL SIMMONS DRIVE
JUNEAU, ALASKA 99801

SURVEYOR:
R&M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803

SHEET 1 OF 4

R&M PROJECT No. 011797

AUGUST 30, 2001

I:\2001PROJ\011797\SHEET-1.dwg 1:1 PLOT: 8-30-01 at 9:00 AM by SAM

FILE: 1-872

R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS

SUMMARY OF SURVEY COURSES (PROPERTY DIMENSIONS)

FLAG	RECORD	SURVEYED
1	(SOUTH - 636.75')	SOUTH - 636.75'
2	(S 75°08'00" E - 2,507.00')	S 75°08'00" E - 2, 507.00'
3	(S 48°10'45" W - 205.66')	S 48°10'45" W - 205.66'
4	(S 27°51'30" W - 421.00')	S 27°51'30" W - 421.00'
5	(S 11°52'00" W - 1,207.00')	S 11°52'00" W - 1,207.00'
6	(N 75°08'00" W - 3,385.00')	N 75°08'00" W - 3,385.00'
7	(S 78°41'30" W - 3,600.00')	S 78°41'30" W - 3,600.00'
8	(N 75°08'00" W - 1,623.50')	N 75°08'00" W - 1,623.50'
9	(N 42°35'00" W - 1,960.00')	N 42°35'00" W - 1,960.00'
10	(N 5°20'00" E - 308.68')	N 5°20'00" E - 308.65'
11	(N 13°48'45" E - 996.87')	N 13°48'45" E - 996.77'
12	(N12°59'00" E - 319.22')	N12°59'00" E - 319.19'
13	(N 35°00'45" E - 271.81')	N 35°00'45" E - 271.77'
14	(N 3°46'00" E - 242.92')	N 3°46'00" E - 242.90'
15	(N 11°08' E - 173.17')	N 11°52'15" E - 173.17'
16	(N 89°56'15" E - 239.19')	N 89°56'15" E - 242.48'
17	(N 1°03'00" E - 45.55')	N 1°03'00" E - 45.52'
18	(S 89°19'00" E - 331.76')	S 89°34'00" E - 331.78'
19	(N 0°41'00" E - 25.00')	N 0°41'00" E - 25.00'
20	(N 0°41'00" E - 25.00')	N 0°41'00" E - 25.00'
21	(S 89°19'00" E - 524.38')	S 89°13400" E - 520.00'
22	(N 13°22'00" E - 25.62')	N 13°07'30" E - 25.62'
23	(S 89°44'00" E - 380.69')	S 89°57'45" E - 381.05'
24	(N 40°50'00" E - 295.71')	N 40°35'30" E - 295.56'
25	(N 49°14'30" E - 83.26')	N 49°14'30" E - 83.26'
26	(N 89°30'30" W - 173.25")	N 89°30'30" W - 173.25"
27	(NORTH - 383.04')	N 0°01'30" W - 383.04'
28	(N 89°44'OO" E - 697.31')	N 87°41'45" E - 703.04')
29	(S 79°00'00" E - 520.00')	S 79°00'00" E - 520.00'
30	(SOUTH - 567.67')	S 0°22'15" E - 562.18'
31	(S 0°05'15" W - 95.00')	S 0°05'15" W - 95.00'
32	(S 49°29'30" E - 232.61')	S 49°29'30" E - 232.61'
33	(N 89°37'15" E - 320.00')	N 89°37'15" E - 320.00'
34	(N 0°28'00" E - 17.99')	N 0°09'30" E - 17.99'
35	(N 89°37'15" E - 207.46')	N 89°37'15" E - 207.46'
36	(N 0°21'00" W - 78.00')	N 1°17'30" W - 77.74'
37	(N 89°39'00" E - 101.26')	N 89°44'00" E - 101.17'
38	(S 0°21'00" E - 80.00')	S 0°18'45" E - 80.03'
39	(N 89°39'00" E - 91.27')	N 89°37'00" E - 91.70'
40	(S 0°21'00" E - 120.00')	S 0°10'30" E - 120.06'
41	(N 89°39'00" E - 197.00')	N 89°39'45" E - 196.79'
42	(S 0°21'00" E - 95.00')	S 0°17'30" E - 95.02'
43	(N 89°39'00" E - 80.00')	N 89°39'00" E - 79.99'
44	(S 0°21'00" E - 115.00')	S 0°22'15" E - 115.00'
45	(N 89°39'00" E - 257.00')	N 89°39'00" E - 257.09'
46	(S 0°21'00" E - 250.00')	S 0°18'00" E - 249.89'
47	(N 89°39'00" E - 277.00')	N 89°41'30" E - 276.79'
48	(S 0°21'00" E - 100.54')	S 0°24'45" E - 100.72'
49	(N 89°39'00" E - 40.00')	N 89°33'45" E - 39.99'
50	(S 0°21'00" E - 100.54')	S 0°19'45" E - 100.39'
51	(S 89°45'45" E - 1,899.18')	S 89°42'45" E - 1,896.20'
52	(S 29°46'15" W - 15.00')	S 29°46'15" W - 15.00'
53	(S 78°24'45" E - 538.21')	S 78°45'30" E - 536.64'

CURVE DATA

FLAG	RECORD	SURVEYED
1	Δ = 15°13'00" R = 2,064.86' T = 548.33' L = 275.79' CH = S 67&&D50'15" E 545.62'	Δ = 15°13'00" R = 2,064.86' T = 548.33' L = 275.79' CH = S 67°50'15" E 545.62'

REAL & LEASE PROPERTY STATUS

TRACT 1	QUITCLAIM DEED FROM CIVIL AERONAUTICS ADMINISTRATION, OCTOBER 28, 1953.
TRACT 2	QUITCLAIM DEED FROM CIVIL AERONAUTICS ADMINISTRATION, OCTOBER 28, 1953.
TRACT 3	QUITCLAIM DEED FROM CIVIL AERONAUTICS ADMINISTRATION, OCTOBER 28, 1953; AS INTERPRETED BY ACTION No. 73-206 IN THE SUPERIOR COURT IN THE FIRST JUDICIAL DISTRICT, JUNEAU, ALASKA.
TRACT 4	QUITCLAIM DEED FROM FEDERAL AVIATION ADMINISTRATION, APRIL 26, 1967.
TRACT 5	PATENT FROM STATE OF ALASKA, NOVEMBER 30, 1972 (ALASKA TIDELAND SURVEY No. 716.)
TRACT 6	AVIGATION EASEMENT FROM STATE OF ALASKA, DIVISION OF LANDS, ADL 34756, 31, 1972.
TRACT 7	AVIGATION EASEMENT FROM STATE OF ALASKA, DIVISION OF LANDS, ADL 34756, 31, 1972.
TRACT 8	WARRANTY DEED FROM WILDE, GIBSON AND MAIER, MAY 30, 1967
TRACT 9	AVIGATION EASEMENT FROM FILE AND AASA, FEBRUARY 5, 1965.
TRACT 10	DEED FROM GLACIER INVESTMENT COMPANY, SEPTEMBER 12, 1961
TRACT 11	DEEDED TO C.B.J. AS OF 7-29-1997
TRACT 12	AVIGATION EASEMENT FROM JOE AND BETTY SMITH, MAY 1, 1973
TRACT 13	E.S.S.A. INSTRUMENT SPACE AGREEMENT PERMIT FROM C.B.J. TO UNITED STATES WEATHER BUREAU THROUGH DECEMBER 2005.
TRACT 14	QUITCLAIM DEED FROM FRED S. HONSINGER, E. LENORE HONSINGER, THEODORE J. SMITH AND SARA J. SMITH, DECEMBER 24, 1975.
TRACT 15	QUITCLAIM DEED FROM FRED S. HONSINGER, E. LENORE HONSINGER, THEODORE J. SMITH, AND SARA J. SMITH MAY 29, 1976.
TRACT 16	WARRANTY DEED FROM GLACIER INVESTMENT COMPANY JULY 30, 1976.
TRACT 17	STATUTORY WARRANT DEED FROM VIVIAN ERWIN, LINDA M. BURLING, AND MARSHA BENNET, SEPTEMBER 12, 1979.
TRACT 18	CONDEMNATION FROM FRANCIS A., JOSEPH M., SIDNEY J., THOEDORE J., AND BETTY SMITH, MAY 28, 1980.
LOT 1 TRACT 18	STATUTORY WARRANTY DEED FROM DAVID & JEANIE ALLISON TO C.B.J., DATED AUGUST 22, 1985.
LOT 2 TRACT 18	STATUTORY WARRANTY DEED FROM ALASKA AIRLINES, INC. TO CHANNEL FLYING, INC. DATED JULY 28, 1978
TRACT 19	WARRANTY DEED FROM ROSEMARY GUTE AND CLARK GREUNING, JULY 2001

AIRPORT LAND AREA'S

DESCRIPTION	AREA IN ACRES	AREA IN SQUARE FEET
ALL AIRPORT PATENTED LANDS	661.76	28,826,279
TRACT 1	64.80'	2,822,740
TRACT 2	7.28	317,396
TRACT 3	182.90	7,967,102
TRACT 4	2.61	113,678
TRACT 5	338.73	14,755,079
TRACT 6 *	22.15	9,589,734
TRACT 7 *	91.88	4,002,203
TRACT 8 *	2.94	128,180
TRACT 9 *	10.07	438,640
TRACT 10	1.17	50,869
TRACT 11	5.70	248,164
TRACT 12 *	22.01	958,929
TRACT 13 **	0.15	655
TRACT 14	29.13	1,268,903
TRACT 15	11.08	482,836
TRACT 16	3.28	83,359
TRACT 17	2.51	109,145
TRACT 18	11.56	503,636
TRACT 19	1.01	43,838

* AVIGATION EASEMENT ONLY AND AREA NOT INCLUDED IN AIRPORT PATENTED LAND AREAS.
** LEASE AREA ONLY AND NOT INCLUDED IN AIRPORT PATENTED LAND AREAS.

LAND SURVEY NOTES

1. THE BASIS OF BEARING AND UNIFIED SURVEY COURSES WAS THE LINE-OF-SIGHT BETWEEN CORNER 4, U.S. SURVEY NO. 3828, COMMON TO CORNER 1, MEANDER CORNER, U.S. SURVEY NO. 1195, AND MEANDER CORNER 5, U.S. SURVEY NO. 3828/CORNER 1, ALASKA TIDELAND SURVEY NO. 716. THE BEARING OF RECORD FOR THIS MONUMENTED LINE-OF-SIGHT IS NORTH. U.S. SURVEY NO. 3828 IS AN UNIMPROVED B.L.M. SURVEY.
2. A CONTINUOUS TRAVERSE SURVEY WAS CONDUCTED IN 1978 AND EXPANDED IN 1982 AND 1987 FROM THE BASIS-OF-BEARING PREVIOUSLY MENTIONED CIRCUMVENTING THE ENTIRE AIRPORT LANDS AND LOCATING MONUMENTATION WITHIN THE U.S. SURVEY NO'S. 1195, 1434 (VALLEY CENTRE SUB-DIVISION), 381 (CONSISTING OF SUBDIVISIONS OF GLACIER MALL SUBDIVISION, COMMERCIAL FOX SUBDIVISION, TOTEM PARK SUBDIVISION, RIVERSIDE PARK SUBDIVISION, AND MEADOW GROVE SUB-DIVISION), 1193, 1919, 1042, 2136, AS WELL AS ALASKA TIDELAND SURVEY NO. 716.
3. BEARINGS OF THE ABOVE REFERENCED U.S. AND ALASKA TIDELAND SURVEYS AND THEIR SUBDIVISIONS WERE ROTATED TO AGREE WITH THE BASIS OF PROJECT BEARING FOR THIS SURVEY. WHERE BEARINGS AND/OR DISTANCES (SURVEY COURSES) DIFFER FROM RECORD BEARINGS AND/OR DISTANCES, THE RECORD BEARING AND DISTANCE IS FOUND IN THE APPROPRIATE TABLE OUTLINED BY PARENTHESIS, FOLLOWED BY THE MEASURED AND/OR COMPUTED COURSE BY THIS SURVEY. WHERE SURVEY COURSES DIFFER FROM RECORD SURVEY COURSES, THEY ARE SHOWN THUSLY; (N 89°44'00"W-2,640.00') N 89°42'45"W-2,639.58'.
4. ADJUSTMENTS OF U.S. SURVEY BOUNDARIES AND/OR SUBDIVISION LOTS, TRACTS, AND BLOCK LINES, WERE MADE BY THE PROPORTIONAL METHOD OF ADJUSTMENT WHERE MONUMENTS WERE RECOVERED OR BY THE COMPASS METHOD OF ADJUSTMENT WHERE A SERIES OF SURVEY COURSES EXIST BETWEEN RECOVERED AND RECORDED MONUMENTATION.
5. ALL BEARINGS ON THIS SURVEY PLAT WERE ROUNDED TO THE NEAREST 0°00'15" OF ARC. ALL HORIZONTAL DIMENSIONS ARE SHOWN IN U.S. SURVEY FEET.
6. ADDITIONAL MONUMENTS EXIST ON THE BOUNDARY OF THE AIRPORT AS PLACED BY THE "MENDENHALL WETLANDS STATE GAME REFUGE" SURVEY. REFERENCED TO THE LATER PLAT OF SURVEY FOR CLARIFICATION.

JUNEAU INTERNATIONAL AIRPORT
EXHIBIT "A"
LAND STATUS MAP

CLIENT:
C.B.J. AIRPORT DEPARTMENT
1873 SHELL SIMMONS DRIVE
JUNEAU, ALASKA 99801

SURVEYOR:
R&M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803

SHEET 2 OF 4

R&M PROJECT No. 011797

AUGUST 30, 2001

Attachment 12C
Packet Page 289 of 328
E:\2001PROJ\011797\SHEET-2.dwg 1:1 PLOT: 8-30-01 at 10:00 AM by SAM
FILE: 1-872

R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS

AIRPORT LEASED PROPERTY SUMMARY

LEGAL DESCRIPTION		AREA	LAND OWNER	LESSEE
BLOCK / TRACT	LOT			
HELIPORT SUBD.	LOTS 1, 2, 3	99,000	C.B.J.	TEMSCO HELICOPTERS
HELIPORT SUBD.	LOT 4	33,000	C.B.J.	TEMSCO HELICOPTERS FIRST RIGHT OF REFUSAL
HELIPORT SUBD.	LOT 5	33,000	C.B.J.	
BLOCK A	LOT 2	14,000	C.B.J.	R & L LEASING, INC. (SUBLESSEE: FEDERAL EXPRESS)
BLOCK B	LOT 2	5,400	C.B.J.	DELTA WESTERN (WESTERN PIONEER)
BLOCK B	LOT 5B	13,420	C.B.J.	AVIS RENTAL CAR
BLOCK B	LOT 6		C.B.J.	HERTZ RENTAL CAR
BLOCK B	LOT 7	9,000	C.B.J.	ACS TELEPHONE
BLOCK B	LOT 8A		C.B.J.	GROUND EQUIPMENT SERVICE
LORAN MON SITE		23,800	C.B.J.	U.S. COAST GUARD
BLOCK D	LOT 1 & 2	17,103	C.B.J.	L.A.B. FLYING
BLOCK D	LOT 3	10,000	C.B.J.	HEIMBIGNER (SUBLEASE: JUNEAU FLIGHT SCHOOL)
BLOCK D	LOT 4	20,700	C.B.J.	ALASKA AIRLINES
BLOCK D	LOTS 5, 6, 7	24,953.5	C.B.J.	ALASKA AIRLINES
BLOCK E	LOT 1	11,500	C.B.J.	
BLOCK E	LOTS 2, 3, 4A, 4B, 11A, 11B	46,070.4	C.B.J. (RESTRICTION TO DEED)	U.S. FISH & WILDLIFE SERVICE
BLOCK E	LOT 5	12,000	C.B.J.	R & L LEASING, INC.
BLOCK E	LOTS 6A, 7A, 8A, 9A & 9B	74,820	C.B.J.	AERO SERVICES
BLOCK E	LOTS 9BB & 10A	15,037.5	C.B.J.	DUANE PACKER
BLOCK E	LOT 12	11,500	C.B.J.	WAYNE D. PUTNAM, AL CLOUGH
BLOCK E	LOT 13	11,500	C.B.J.	JOE JOHNSON
BLOCK F	LOTS 20, 21, 22	8,280	C.B.J.	JOSEPH S. JOHNSON
BLOCK F	LOT 34	3,736	C.B.J.	JOSEPH S. JOHNSON
BLOCK G	LOT 1	1,418	C.B.J.	R&M ENGINEERING
BLOCK G	LOT 2	1,607	C.B.J.	ROBERT REID
BLOCK G	LOT 3	1,213	C.B.J.	KEN KAREEN
BLOCK G	LOT 4	1,213	C.B.J.	SHARP / BIGGE
BLOCK G	LOT 5	1,607	C.B.J.	KEN MONTOUR
BLOCK G	LOT 6	1,213	C.B.J.	DAVE AND SUSAN FREDERICK
BLOCK G	LOT 7	1,213	C.B.J.	LOREN STEPHENS
BLOCK G	LOT 8	1,213	C.B.J.	DONALD L. GOOD
BLOCK G	LOT 9	1,213	C.B.J.	KEN MONTOUR
BLOCK G	LOT 10	1,213	C.B.J.	DENNIS BEDFORD
BLOCK G	LOT 11	1,213	C.B.J.	LAUGHLIN
BLOCK G	LOT 12	1,418	C.B.J.	JOHNSON
BLOCK H	LOT 1	2,000	C.B.J.	LARRY GREGG
BLOCK H	LOT 2	2,000	C.B.J.	DAVID CAVE
BLOCK H	LOT 3	2,000	C.B.J.	CAVE / DILLY
BLOCK H	LOT 4	2,000	C.B.J.	ROUNTREE / JEWELL
BLOCK H	LOT 5	3,959	C.B.J.	SAMALON
BLOCK H	LOT 6	3,957.9	C.B.J.	BERGDALL / KEMP
BLOCK H	LOT 7	4,738	C.B.J.	BRISKE / PHILLIPS
BLOCK I	LOTS 1, 2 & 3	16,322	C.B.J.	CIVIL AIR PATROL
BLOCK J	LOT 1	18,335	C.B.J.	
BLOCK J	LOT 7	15,000	C.B.J.	A.E.L.&P.
BLOCK J	LOT 8A	10,982	C.B.J.	AERO SERVICES
BLOCK J	LOT 8B	10,579	C.B.J.	DELTA WESTERN (WESTERN PIONEER)
BLOCK K	LOTS 2, 3 & 4	22,734	C.B.J.	RED LEASING (WARD AIR)
BLOCK K	LOTS 11, 12, 13, 14	19,680.4	C.B.J.	RED LEASING (WARD AIR)
BLOCK K	LOT 15		C.B.J.	
BLOCK K	LOT 16		C.B.J.	
BLOCK K	LOT 17		C.B.J.	
BLOCK K	LOT 18		C.B.J.	
BLOCK K	LOT 19		C.B.J.	
BLOCK L	LOT 1	3,250	C.B.J.	COOK
BLOCK L	LOT 2	3,000	C.B.J.	GERBI / MIDDLETON

AIRPORT LEASED PROPERTY SUMMARY (CONT'D.)

LEGAL DESCRIPTION		AREA	LAND OWNER	LESSEE
BLOCK / TRACT	LOT			
BLOCK L	LOT 3	3,000	C.B.J.	ROHWEDER
BLOCK L	LOT 4	3,000	C.B.J.	BROOKS
BLOCK L	LOT 5	3,250	C.B.J.	WILLARD
BLOCK L	LOT 6	3,500	C.B.J.	
BLOCK L	LOT 7	3,750	C.B.J.	ROUNTREE
BLOCK L	LOT 8	3,000	C.B.J.	ROUNTREE
BLOCK L	LOT 9	3,000	C.B.J.	WARD / LAUGHLIN
BLOCK L	LOT 10	3,000	C.B.J.	GROGAN
BLOCK L	LOT 11	3,250	C.B.J.	FREER
BLOCK L	LOT 12	3,250	C.B.J.	KIBBY
BLOCK L	LOT 13	3,000	C.B.J.	SMITH
BLOCK L	LOT 14	3,000	C.B.J.	
BLOCK L WEST	LOT 1	12,000	C.B.J.	COASTAL FUEL, INC.
BLOCK L WEST	LOT 2	46770.9	C.B.J.	COASTAL HELICOPTERS, INC.
BLOCK M	LOT 1	1,547.04	C.B.J.	MORRIS ENGINEERING
BLOCK M	LOT 2	1,722.7	C.B.J.	BELFLOWER
BLOCK M	LOT 3	1,179.33	C.B.J.	DEPUTE
BLOCK M	LOT 4	1,179.33	C.B.J.	PALMER
BLOCK M	LOT 5	1,179.33	C.B.J.	BLAIR
BLOCK M	LOT 6	1,179.33	C.B.J.	STALEY
BLOCK M	LOT 7	1,179.33	C.B.J.	(TAL AIR) JACQUES NORVELL
BLOCK M	LOT 8	1,179.33	C.B.J.	STALEY
BLOCK M	LOT 9	1,179.33	C.B.J.	CLOUGH / YOUNG
BLOCK M	LOT 10	1,179.33	C.B.J.	SWANSON
BLOCK M	LOT 11	1,179.33	C.B.J.	PIERCE
BLOCK M	LOT 12	1,179.33	C.B.J.	QUINN
BLOCK M	LOT 13	1,722.7	C.B.J.	SOUTHWICK TRUST
BLOCK M	LOT 14	1,547	C.B.J.	JUNKER
BLOCK N	LOT 1	2,925	C.B.J.	RUSSELL
BLOCK N	LOT 2	2,700	C.B.J.	MONTOURE
BLOCK N	LOT 3	2,700	C.B.J.	BELFLOWER
BLOCK N	LOT 4	2,700	C.B.J.	COFFEE / MORSE
BLOCK N	LOT 5	2,700	C.B.J.	GERBI
BLOCK N	LOT 6	2,700	C.B.J.	SPENCER
BLOCK N	LOT 7	2,700	C.B.J.	SWANSON
BLOCK N	LOT 8	2,700	C.B.J.	WILLIAMS
BLOCK N	LOT 9	2,925	C.B.J.	WILLIAMS, TOM
BLOCK O	LOT 1	2,925	C.B.J.	KINNEY
BLOCK O	LOT 2	2,700	C.B.J.	FIEHLER
BLOCK O	LOT 3	2,700	C.B.J.	CARLSON
BLOCK O	LOT 4	2,700	C.B.J.	CUMMINS
BLOCK O	LOT 5		C.B.J.	CLOUGH
BLOCK O	LOT 6		C.B.J.	SESSIONS
BLOCK O	LOT 7		C.B.J.	TURNER
BLOCK O	LOT 8		C.B.J.	BLAIR
BLOCK P	LOT 1	90,000	C.B.J.	PAN ARCTIC CONTRACTORS
BLOCK P	LOT 2	90,000	C.B.J.	SILVERBAY LOGGING
BLOCK P	LOT 3	90,000	C.B.J.	ALASKA NATIONAL GUARD
BLOCK P	LOT 4	90,000	C.B.J.	WINGS OF ALASKA
BLOCK P	LOT 5		C.B.J.	
BLOCK P	LOT 6		C.B.J.	
BLOCK P	LOT 7		C.B.J.	
BLOCK P	LOT 8		C.B.J.	
BLOCK P	LOT 9		C.B.J.	
BLOCK P	LOT 10		C.B.J.	
BLOCK P	LOT 11		C.B.J.	
BLOCK P	LOT 12		C.B.J.	
BLOCK P	LOT 13		C.B.J.	
BLOCK P	LOT 14		C.B.J.	
BLOCK P	LOT 15		C.B.J.	
BLOCK P	LOT 16		C.B.J.	
BLOCK P	LOT 17 & 18		C.B.J.	TEMSCO HELICOPTERS
BLOCK P	LOT 19		C.B.J.	
BLOCK Q			C.B.J.	

JUNEAU INTERNATIONAL AIRPORT
EXHIBIT "A"
LAND STATUS MAP

CLIENT:
C.B.J. AIRPORT DEPARTMENT
1873 SHELL SIMMONS DRIVE
JUNEAU, ALASKA 99801

SURVEYOR:
R&M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803

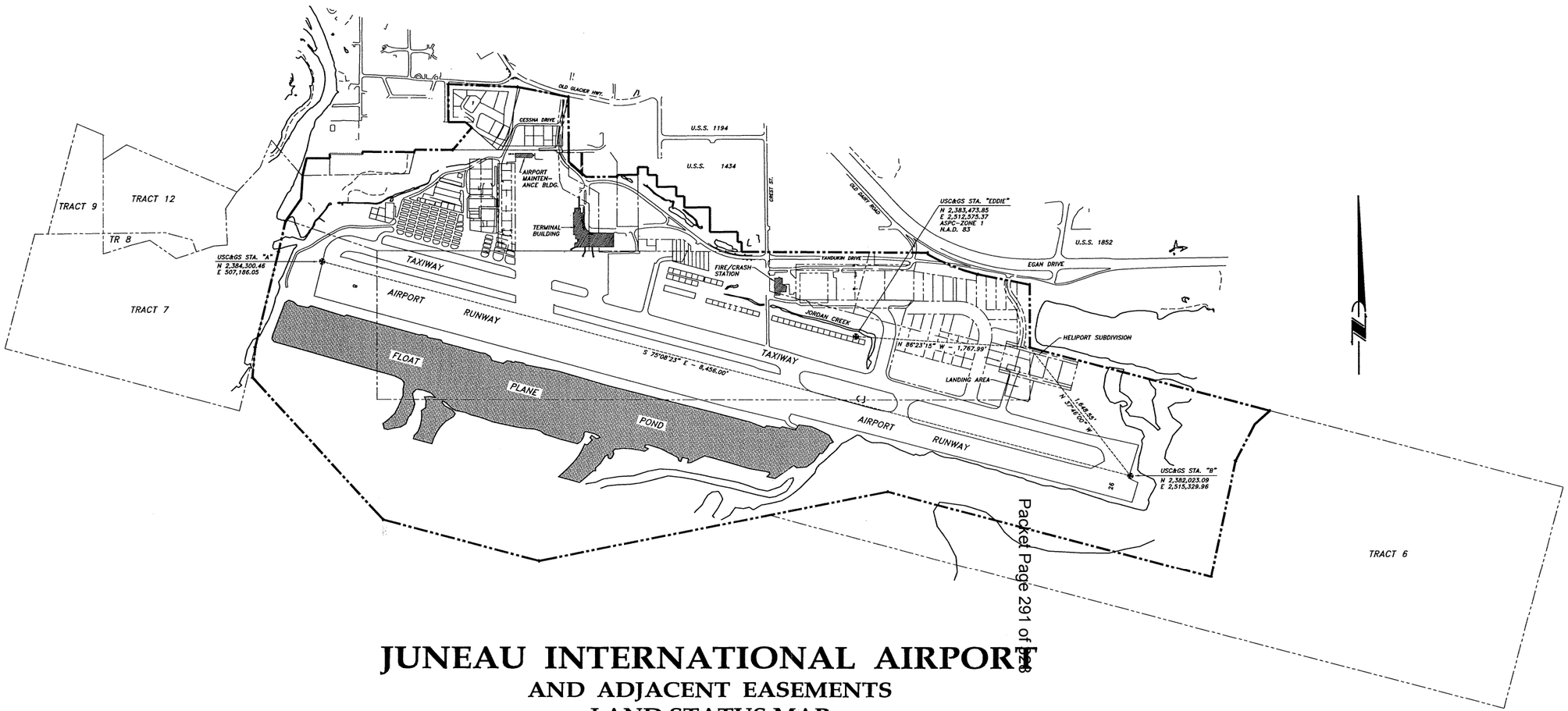
SHEET 3 OF 4

R&M PROJECT No. 011797

AUGUST 30, 2001

I:\2001PROJ\011797\SHEET-3.dwg 1:1 PLOT: 8-30-01 at 9:00 AM by SAM

R&M
R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS



JUNEAU INTERNATIONAL AIRPORT
AND ADJACENT EASEMENTS
LAND STATUS MAP

GRAPHIC SCALE IN FEET

0 600 1200 1800 2400 3000 3600 4200 4800

JUNEAU INTERNATIONAL AIRPORT
EXHIBIT "A"
LAND STATUS MAP

CLIENT:
C.B.J. AIRPORT DEPARTMENT
1873 SHELL SIMMONS DRIVE
JUNEAU, ALASKA 99801

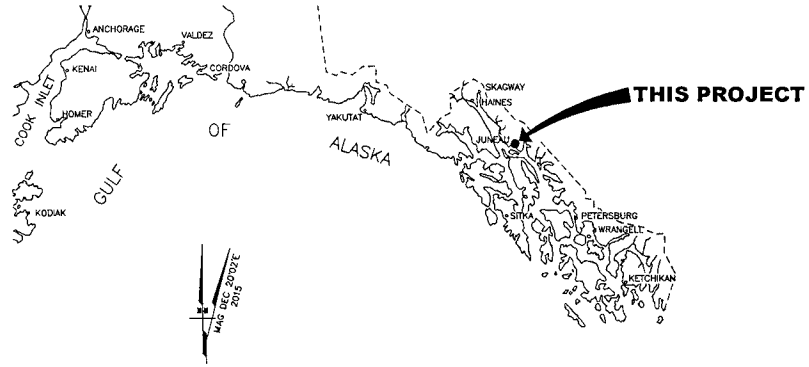
SURVEYOR:
R&M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803

SHEET 4 OF 4

R&M PROJECT No. 011797

AUGUST 30, 2001

I:\2001PROJ\011797\SHEET-4.dwg 1:1 PLOT: 8-30-01 at 9:00 AM by SAM



LOCATION MAP

LEGEND		
ITEM	EXISTING	ULTIMATE
AIRPORT REFERENCE POINT (A.R.P.)		
ANTENNA		
BLUFF		
BUILDINGS		
BUILDING RESTRICTION LINE		
FENCE	—X—X—X—	—X—X—X—
PAPI		
PROPERTY LINE		
REIL		
ROADWAYS		
ROTATING BEACON		
SHORELINE		
SURVEY MONUMENT		
THRESHOLD MARKERS/LIGHTS		
TOPOGRAPHIC CONTOURS		
TREE (LARGE SINGLE)		
TREELINE		
VASI		
WIND CONE		
WIND CONE AND SEGMENTED CIRCLE		

AIRPORT DATA TABLE		
ITEM	EXISTING	ULTIMATE
ICAO IDENTIFIER	PAJN	PAJN
NATIONAL AIRPORT IDENTIFIER	JNU	JNU
FAA SITE NUMBER	50385.*A	50385.*A
AIRPORT ELEVATION NAVD88	25.3'	25.3'
AIRPORT REFERENCE CODE	C-III	C-III
MEAN MAX. TEMPERATURE, HOTTEST MONTH	65°F, JULY	65°F, JULY
AIRPORT AND TERMINAL NAVIGATION AIDS	BEACON, NDB, LDA, LDIN, RVR	BEACON, NDB, LDA, LDIN, RVR, ADS-B
TAXIWAY LIGHTING/MARKING	MITL	MITL
OBSTRUCTION SURVEY SOURCE & TYPE	NONE	NONE
MAGNETIC DECLINATION, YEAR, RATE OF CHANGE	20°02'E / 2015	-0°19'(W) / YEAR

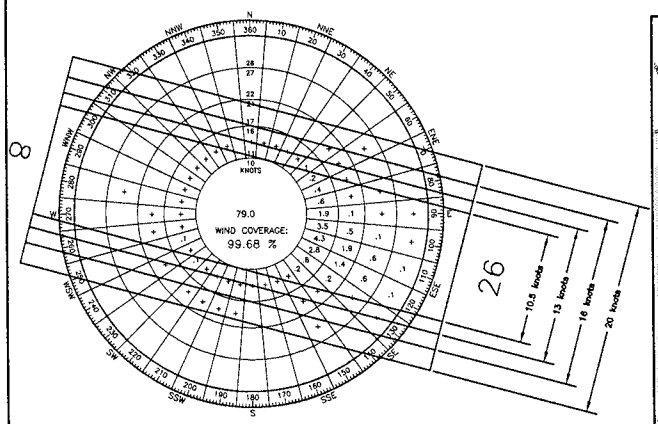
RUNWAY 8/26 DATA TABLE			
ITEM	EXISTING	NEAR TERM	ULTIMATE
RUNWAY TYPE UTILITY OR OTHER THAN UTILITY	OTHER THAN UTILITY	OTHER THAN UTILITY	OTHER THAN UTILITY
FAR PART 77 APPROACH CATEGORY (V, NPI, P)	NPI	NPI	NPI
APPROACH SURFACES	34:1/50:1	34:1/50:1	34:1/50:1
VISIBILITY MINIMUM	≥1 SM	≥1 SM	≥1 SM
RUNWAY SURFACE	ASPHALT	ASPHALT	ASPHALT
PAVEMENT STRENGTH S,25,0,20,2D/2D2 x1000lbs	75, 175, 200, 340, 500	75, 175, 200, 340, 500	75, 175, 200, 340, 500
AIRCRAFT APPROACH CATEGORY	C	C	C
AIRPLANE DESIGN GROUP	III	III	III
TRUE BEARING	N75°8'44.50"W	N75°8'44.50"W	N75°8'44.50"W
EFFECTIVE GRADE	0.02%	0.02%	0.02%
TOUCHDOWN ELEVATION NAVD88 (ESTIMATED)	25.0' / 23.4'	25.0' / 23.4'	25.0' / 23.4'
RUNWAY DIMENSIONS	8857' x 150'	8857' x 150'	8857' x 150'
RUNWAY SAFETY AREA (RSA) DIMENSIONS	10057' x 500'	10057' x 500'	10057' x 500'
LENGTH BEYOND R/W END	600' / 600'	600' / 600'	600' / 600'
RUNWAY PROTECTION ZONE (RPZ) DIM. – RW 8	1700' x 500' x 1010'	1700' x 500' x 1010'	1700' x 500' x 1010'
RUNWAY PROTECTION ZONE (RPZ) DIM. – RW 26	1700' x 500' x 1010'	1700' x 500' x 1010'	1700' x 500' x 1010'
RUNWAY OBJECT FREE AREA (ROFA) DIMENSIONS	10057 x 730'	10057 x 730'	10057 x 730'
LENGTH BEYOND R/W END OR STOPWAY	600' / 600'	600' / 600'	600' / 600'
RUNWAY OBSTACLE FREE ZONE (ROFZ) DIMENSIONS	9257' x 400'	9257' x 400'	9257' x 400'
RUNWAY LIGHTING	HIRL	HIRL	HIRL
RUNWAY MARKING TYPE	NONPRECISION	NONPRECISION	NONPRECISION
RUNWAY VISUAL APPROACH AIDS – RW 8	MALSF, LDIN, VASI, REILS	MALSF, LDIN, VASI, REILS	MALSF, LDIN, VASI, REILS
RUNWAY VISUAL APPROACH AIDS – RW 26	MALS, PAPI, REILS	MALS, PAPI, REILS	MALS, PAPI, REILS

GEOGRAPHIC COORDINATES TABLE				
ITEM	EXISTING LATITUDE	EXISTING LONGITUDE	ULTIMATE LATITUDE	ULTIMATE LONGITUDE
ARP	58°21'16.97"N	134°34'42.88"W	58°21'16.97"N	134°34'42.88"W
THRESHOLD RW 8	58°21'28.25"N	134°35'49.09"W	58°21'28.25"N	134°35'49.09"W
THRESHOLD RW 26	58°21'05.88"N	134°33'08.63"W	58°21'05.88"N	134°33'08.63"W
THRESHOLD RW 8W	58°21'22.82"N	134°35'52.23"W	58°21'22.82"N	134°35'52.23"W
THRESHOLD RW 26W	58°21'10.71"N	134°34'25.26"W	58°21'10.71"N	134°34'25.26"W

RUNWAY 8W/26W DATA TABLE			
ITEM	EXISTING	NEAR TERM	ULTIMATE
RUNWAY TYPE UTILITY OR OTHER THAN UTILITY	UTILITY	UTILITY	UTILITY
FAR PART 77 APPROACH CATEGORY (V, NPI, P)	V	V	V
APPROACH SURFACES	20:1	20:1	20:1
VISIBILITY MINIMUM	≥1 SM	≥1 SM	≥1 SM
RUNWAY SURFACE	WATER	WATER	WATER
PAVEMENT STRENGTH S,25,0,20,2D/2D2 x1000lbs	N/A	N/A	N/A
AIRCRAFT APPROACH CATEGORY	A	A	A
AIRPLANE DESIGN GROUP	II	II	II
TRUE BEARING	N75°8'44.50"W	N75°8'44.50"W	N75°8'44.50"W
EFFECTIVE GRADE	0%	0%	0%
TOUCHDOWN ELEVATION NAVD88 (ESTIMATED)	12'	12'	12'
RUNWAY DIMENSIONS	4800' x 400'	4800' x 400'	4800' x 400'
RUNWAY SAFETY AREA (RSA) DIMENSIONS	N/A	N/A	N/A
LENGTH BEYOND R/W END	N/A	N/A	N/A
RUNWAY PROTECTION ZONE (RPZ) DIMENSIONS	1000' x 250' x 450'	1000' x 250' x 450'	1000' x 250' x 450'
RUNWAY OBJECT FREE AREA (ROFA) DIMENSIONS	5200' x 400'	5200' x 400'	5200' x 400'
LENGTH BEYOND R/W END OR STOPWAY	N/A	N/A	N/A
RUNWAY OBSTACLE FREE ZONE (ROFZ) DIMENSIONS	5200' x 400'	5200' x 400'	5200' x 400'
RUNWAY LIGHTING	N/A	N/A	N/A
RUNWAY MARKING TYPE	N/A	N/A	N/A
RUNWAY VISUAL APPROACH AIDS	NONE	NONE	NONE

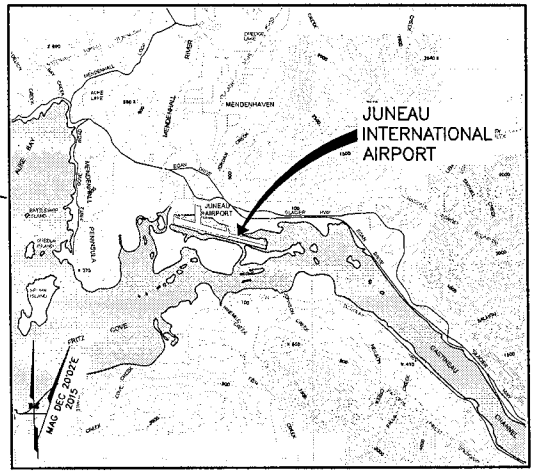
NOTES

1. THE HORIZONTAL DATUM IS NAD83(CORS96) (EPOCH:2010.00)
2. THE VERTICAL DATUM IS NAVD 88 ORTHOMETRIC HEIGHTS. THE BASIS OF ELEVATIONS IS THE NATIONAL GEODETIC SURVEY (NGS) PRIMARY AIRPORT CONTROL STATION (PACS) "JNU C", PID AI4906, HAVING A NAVD 88 ORTHOMETRIC HEIGHT OF 21.526 FEET. THE NAVD 88 ORTHOMETRIC HEIGHT FOR THIS POINT WAS DETERMINED BY UTILIZING THE NGS PUBLISHED ELLIPSOID HEIGHT AND A HIGH-RESOLUTION GEOID MODEL (GEOID-09).
3. RW 8W-26W DESIGN STANDARDS ARE FOR SMALL AIRCRAFT ONLY.



WIND DATA TABLE				
RUNWAY	10.5 kt	13 kt	16 kt	20 kt
8/26	96.68	99.92	99.99	100.00

SOURCE: NATIONAL CLIMATIC DATE CENTER, ASHVILLE, NC
STATION: JNU, 70381
PERIOD: 1998-2008, 82558 OBSERVATIONS



VICINITY MAP

SEC. 34, 35, 36, T 40 S, R 66 E,
COPPER RIVER MERIDIAN
U.S.G.S. JUNEAU (B-2), ALASKA

SCALE IN STATUTE MILES
1 SM .5 SM 0 1 SM 2 SM

NON STANDARD CONDITIONS			
DESCRIPTION	STANDARD	EXISTING	ULTIMATE
RUNWAY OBJECT FREE AREA WIDTH	800'	730'	730'
RUNWAY 8 SAFETY AREA LENGTH BEYOND RW END	1000'	600'	*1000'
RUNWAY 26 SAFETY AREA LENGTH BEYOND RW END	1000'	600'	*1000'

*600' BEYOND RUNWAY END, 1000' BEYOND ASOA

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

APPROVED: DATE:

PATRICIA DELABRUERE AIRPORT MANAGER

AIRPORT LAYOUT PLAN CONDITIONAL APPROVAL SUBJECT TO
ALP APPROVAL LETTER DATED ___/___/___
FAA AIRSPACE REVIEW NUMBER:_____

DATE:
FAA, AIRPORTS DIVISION ALASKAN REGION, AAL-

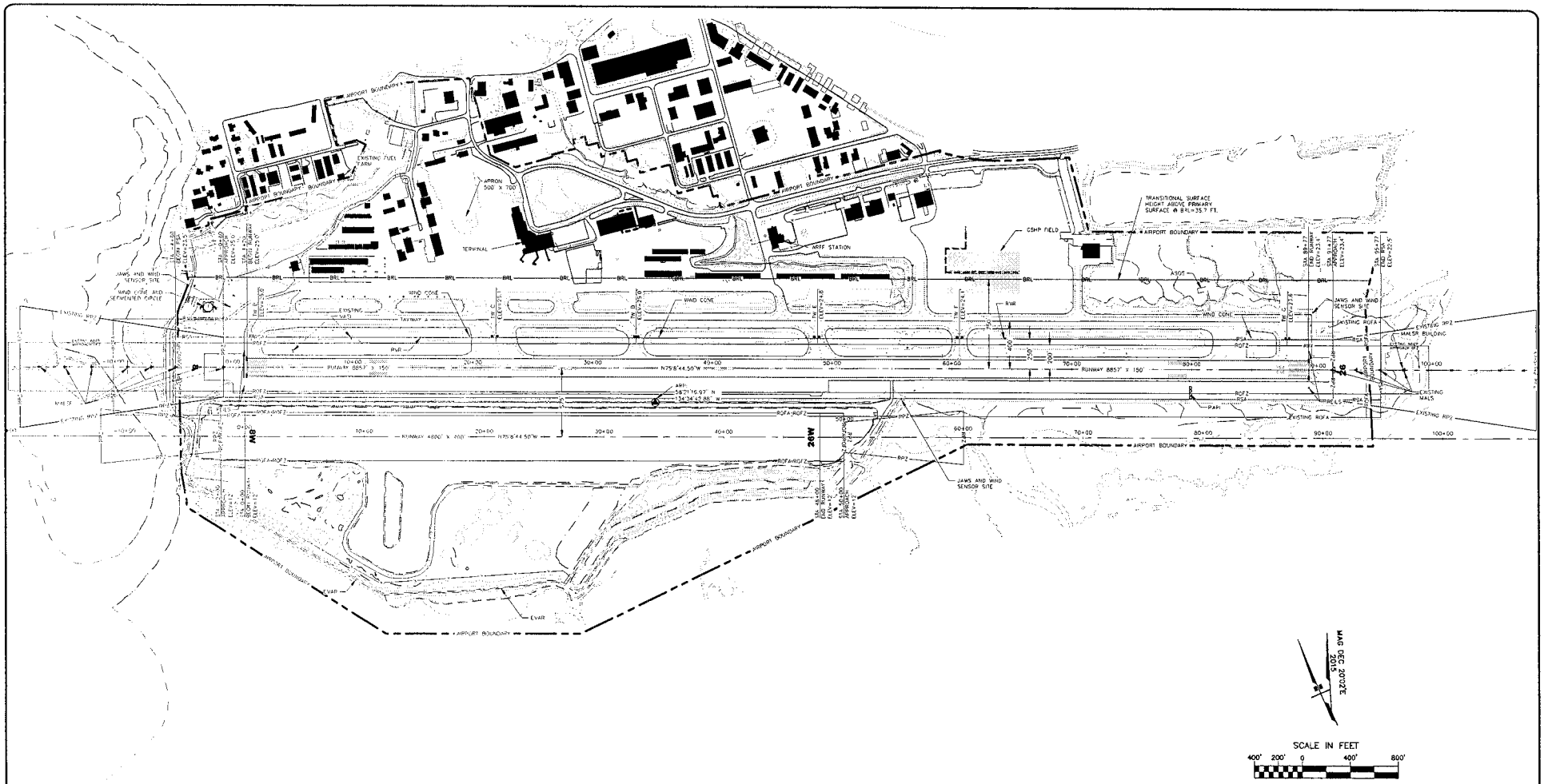
DRAWING INDEX	
SHT #	TITLE
1	AIRPORT DATA SHEET
2	EXISTING AIRPORT LAYOUT PLAN
3	ULTIMATE AIRPORT LAYOUT PLAN
4	DECLARED DISTANCES
5	INNER PORTION OF THE APPROACH SURFACE – RW 8-26
6	INNER PORTION OF THE APPROACH SURFACE-RW 8W-26W
7	AIRPORT AIRSPACE, 14 CFR, PART 77
8	AIRPORT AIRSPACE, 14 CFR, PART 77
9	TERMINAL AREA PLAN
10	AIRPORT LAND USE
11	PROPERTY MAP

CITY AND BOROUGH OF JUNEAU
JUNEAU INTERNATIONAL AIRPORT
JUNEAU, ALASKA

AIRPORT LAYOUT PLAN
AIRPORT DATA SHEET

DATE: 04/15/2010
SHEET: 1 OF 11

Date Plotted: 2/20/2014, 11:19 AM
User Name: dlewallyn
File Name: P:\Projects\J\50603\ALP_JNU-ALP.dwg
Designed By: dlewallyn
Drawn By: bsaylors
Checked By: bhanson
FILE No.: 232-69



SCALE IN FEET

400' 200' 0 400' 800'

NOTES

THERE ARE NO ROFZ PENETRATIONS.

TAXIWAY DATA

ITEM	WIDTH		TSA		OFA	
	EXISTING	STANDARD	EXISTING	STANDARD	EXISTING	STANDARD
T/W A	75'	50'	118'	118'	186'	186'
T/W B	102.5'	50'	118'	118'	186'	186'
T/W C	260'	50'	118'	118'	186'	186'
T/W D	50'	50'	118'	118'	186'	186'
T/W E	100'	50'	118'	118'	186'	186'
T/W F	75'	50'	118'	118'	186'	186'
T/W G	242'	50'	118'	118'	186'	186'

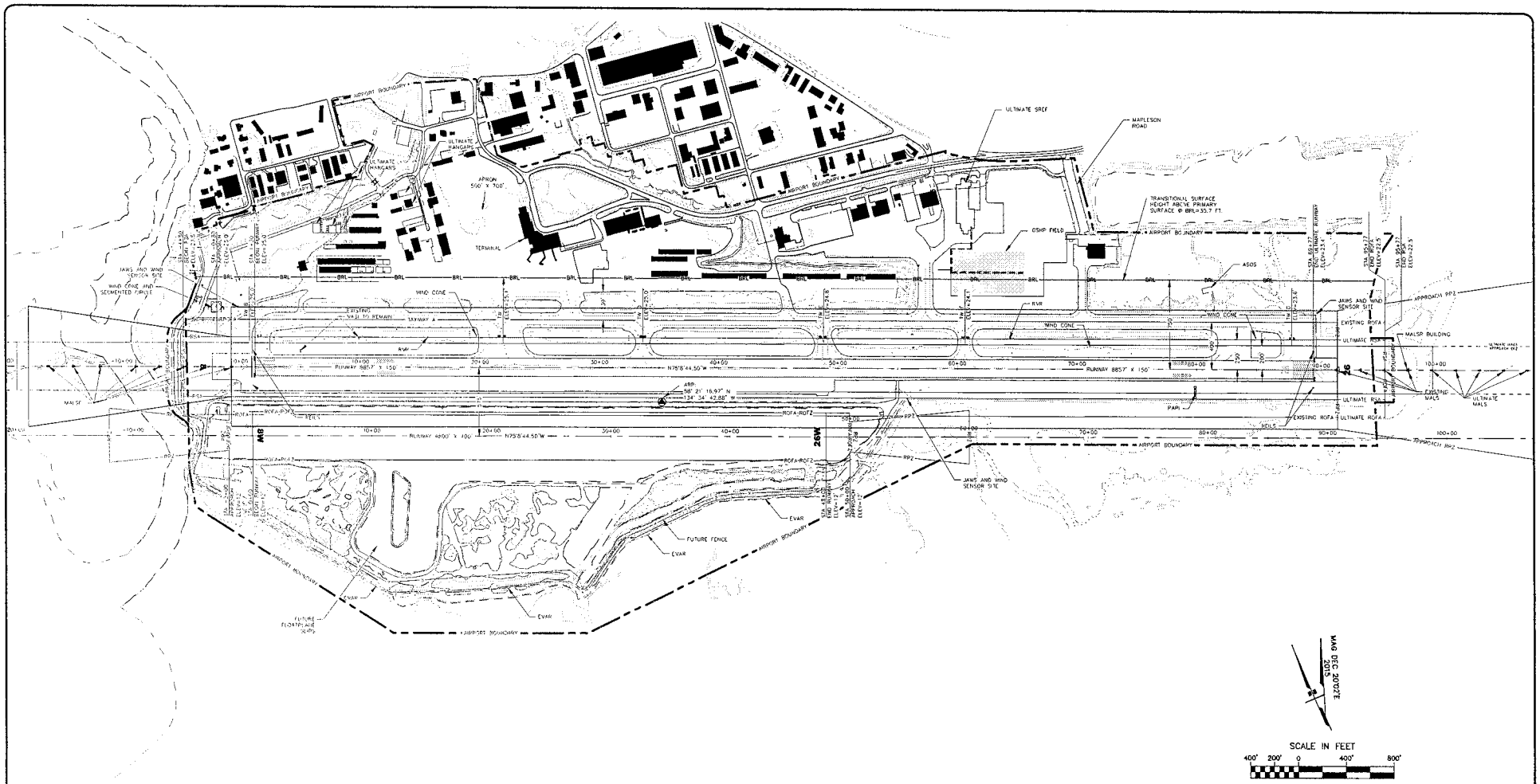
BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN
EXISTING
AIRPORT LAYOUT PLAN

DATE: 04/15/2010
SHEET: 2 OF 11

Date Plotted:
Layout Name:
File Name:

Designed By: Chandler
Drawn By: Cahill
Checked By: Johnson
FILE No.: 233-89



SCALE IN FEET
400' 200' 0 400' 800'

NOTES

1. THERE ARE NO ROFZ PENETRATIONS.

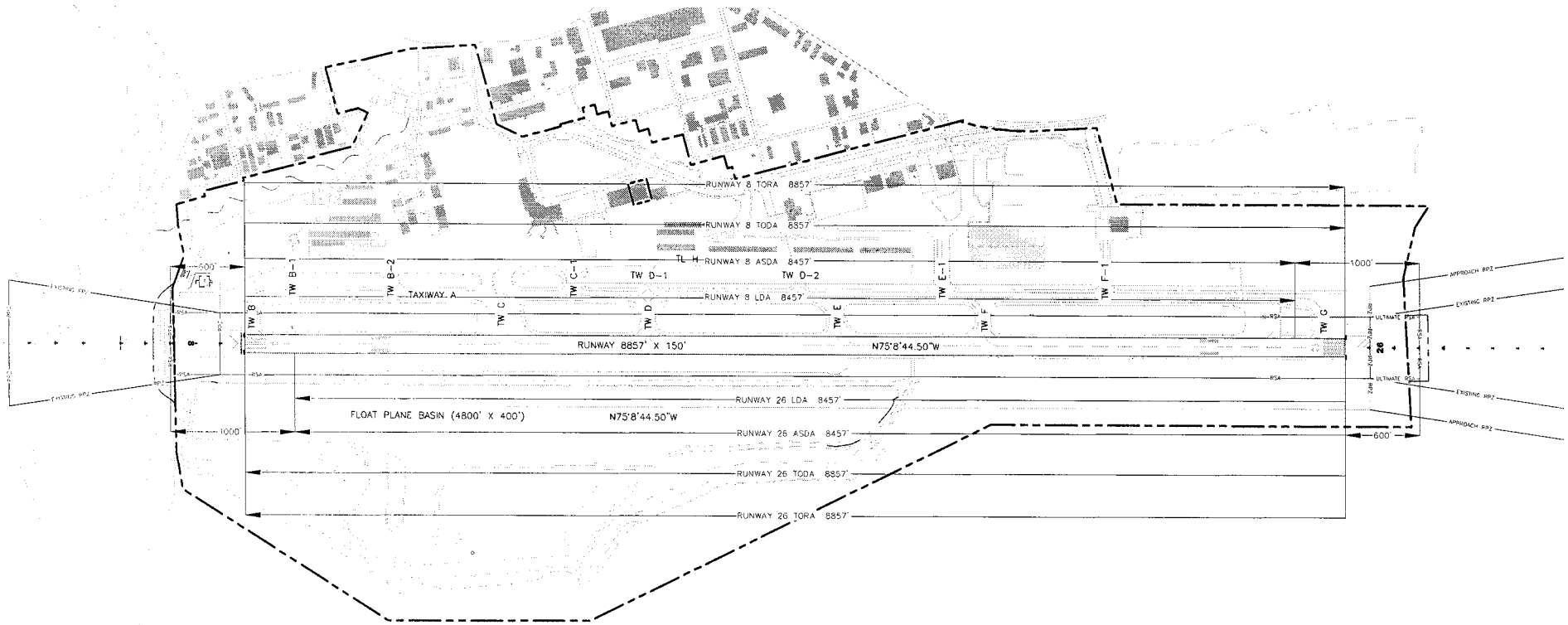
TAXIWAY DATA						
ITEM	WIDTH		TSA		OFA	
	EXISTING	STANDARD	EXISTING	STANDARD	EXISTING	STANDARD
T/W A	90'	50'	118'	118'	186'	186'
T/W B	102.5'	50'	118'	118'	186'	186'
T/W C	260'	50'	118'	118'	186'	186'
T/W D	50'	50'	118'	118'	186'	186'
T/W E	100'	50'	118'	118'	186'	186'
T/W F	75'	50'	118'	118'	186'	186'
T/W G	245'	50'	118'	118'	186'	186'

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN
ULTIMATE
AIRPORT LAYOUT PLAN

DATE: 04/15/2010
SHEET: 3 OF 11

Date Plotted:
Layout Name:
File Name:
Designed By: nilsen/jim
Drawn By: Cwill
Checked By: Dhanson
FILE No.: 232-89



EXISTING/ULTIMATE

DECLARED DISTANCES		
	RUNWAY 8/26	
ITEM	EXISTING	FUTURE
TAKEOFF RUN AVAILABLE (TORA)	8,857 / 8,857	8,857 / 8,857
TAKEOFF DISTANCE AVAILABLE (TODA)	8,857 / 8,857	8,857 / 8,857
ACCELERATE STOP DISTANCE AVAILABLE (ASDA)	8,457 / 8,457	8,457 / 8,457
LANDING DISTANCE AVAILABLE (LDA)	8,457 / 8,457	8,457 / 8,457

MAG DEC 20°02'E

SCALE IN FEET

400' 200' 0 400' 800'

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

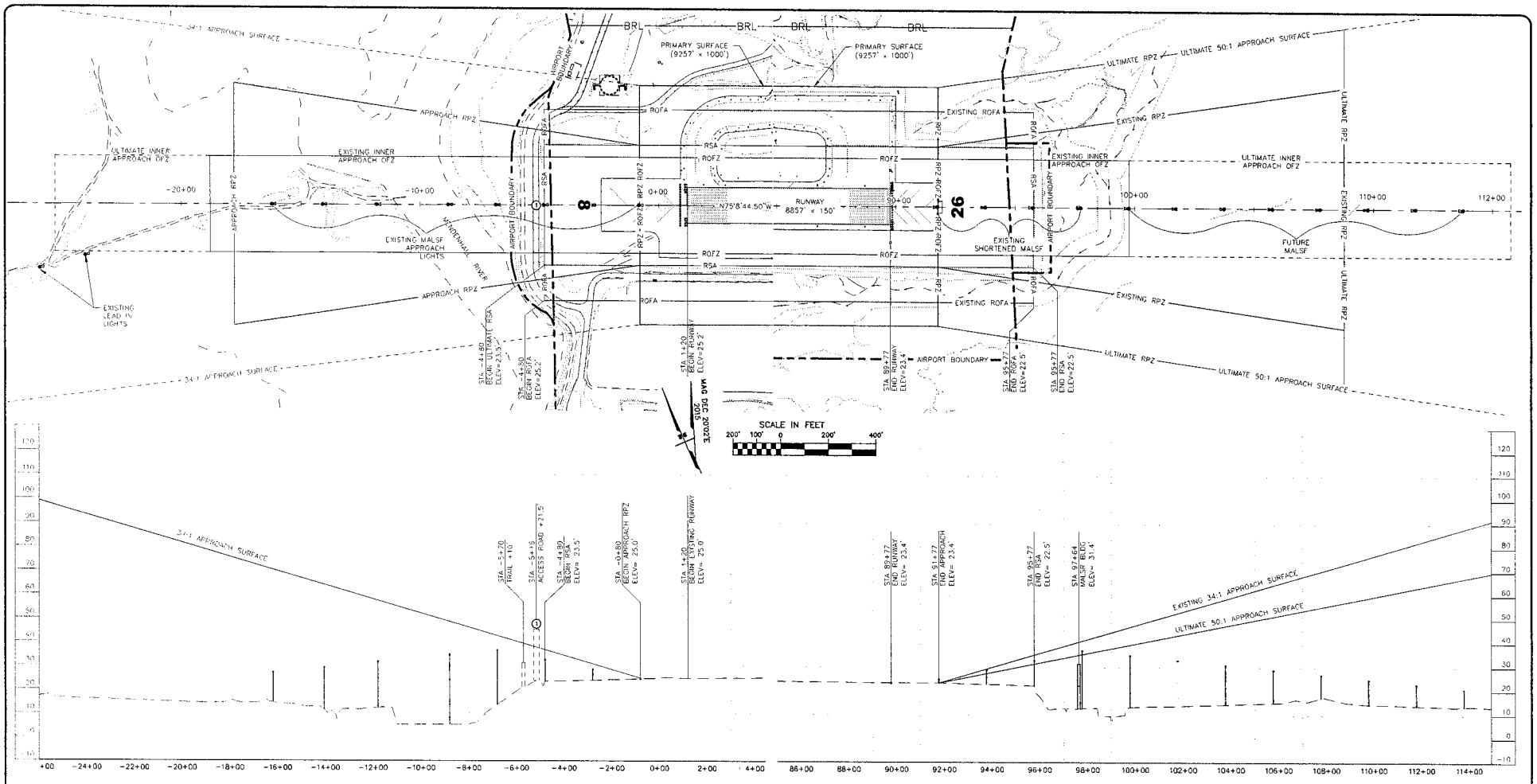
JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

DECLARED DISTANCES

DATE: 04/15/2010
SHEET: 4 OF 11

Designed By: Gleneslyn
Drawn By: Chris
Checked By: Dahlstrom
FILE No.: 232-09

Date Plotted:
Layout Name:
File Name:



SCALE IN FEET
200' 100' 0 200' 400'
HORIZONTAL TO VERTICAL RATIO 1:10

RUNWAY 8

34:1 APPROACH SURFACE OBSTRUCTIONS TABLE (INNER PORTION RW 8)

ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSITION	STAGE TO CORRECT
1	ACCESS ROAD	-5+16/0	45.5' *	APPROACH	38'	7.5'	REMAIN	–

REFER TO THE AIRPORT AIRSPACE DRAWING FOR PENETRATIONS OF THE OUTER APPROACH SURFACES.
* TOTAL CLEARANCE HEIGHT IS BASED ON THE HEIGHT OF A TOWING TRAILER (2') AND THE TAIL HEIGHT OF A TWIN OTTER (19.5') (21.5' TOTAL).

NOTES

1. THE EXISTING OBSTRUCTION CLEARANCE SLOPE FOR RW 8 IS ESTABLISHED AS 8:1 PER FAA AC 150/5200-35, CHAP 4. THE ULTIMATE OBSTRUCTION CLEARANCE SLOPE FOR RW 8 IS ESTABLISHED AS 15:1 PER FAA AC 150/5200-35, CHAP 4.
2. THERE ARE NO OBJECT PENETRATIONS IN THE RUNWAY APPROACH END SITING SURFACE OF RUNWAY 8, AS DEFINED IN FAA AC 150/5300-13, TABLE A-2, ROWS 1 THRU 2.

RUNWAY 26

50:1 APPROACH SURFACE OBSTRUCTIONS TABLE (INNER PORTION RW 26)

ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSITION	STAGE TO CORRECT
	NONE							

REFER TO THE AIRPORT AIRSPACE DRAWING FOR PENETRATIONS OF THE OUTER APPROACH SURFACES.

NOTES

1. THE EXISTING AND ULTIMATE OBSTRUCTION CLEARANCE SLOPE FOR RW 26 IS ESTABLISHED AS 7:1 PER FAA AC 150/5200-35, CHAP 4.
2. THERE ARE NO OBJECT PENETRATIONS IN THE RUNWAY APPROACH END SITING SURFACE OF RUNWAY 26, AS DEFINED IN FAA AC 150/5300-13, TABLE A-2, ROWS 1 THRU 10.

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

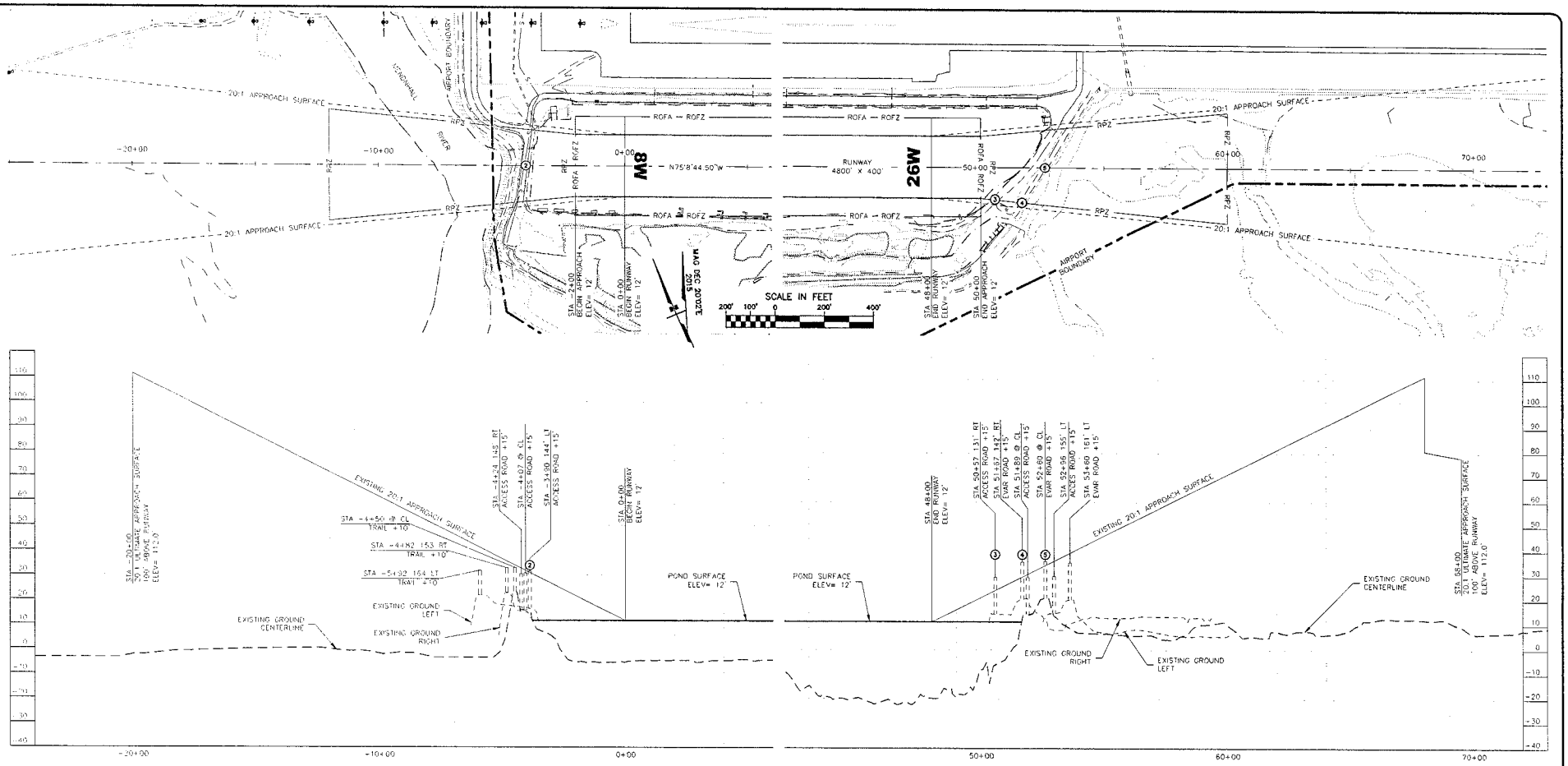
INNER PORTION OF THE APPROACH SURFACE–RW 8–26

DATE: 04/15/2010
SHEET: 5 OF 11

FILE No.: 232-69

Designed By: Hewitson
Drawn By: Chiff
Checked By: Erickson

Date Plotted: 2/20/2014 2:30:32 PM
Date Saved: 2/20/2014 2:30:32 PM
File Name: P:\232-69 JNU ALP UPDATE\Dwg\232-69 ALP UPDATE.dwg



SCALE IN FEET
200' 100' 0 200' 400'
HORIZONTAL TO VERTICAL RATIO 1:10

RUNWAY 8W

20:1 APPROACH SURFACE OBSTRUCTIONS TABLE (INNER PORTION RW 8W)

ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSITION	STAGE TO CORRECT
1	ROAD	-3+90/144 LT	32'	APPROACH	31'	1'	REMAIN	

REFER TO THE AIRPORT AIRSPACE DRAWING FOR PENETRATIONS OF THE OUTER APPROACH SURFACES.

NOTES

1. THE OBSTRUCTION CLEARANCE SLOPE FOR RW 8W IS ESTABLISHED AS 15:1 PER FAA AC 150/5200-35, CHAP 4.
2. RUNWAY 8W MEETS THE CONDITIONS OF FAA AC 150/5300-13, TABLE A-2 ROW 1 FOR APPROACH END SITING SURFACE.

RUNWAY 26W

20:1 APPROACH SURFACE OBSTRUCTIONS TABLE (INNER PORTION RW 26W)

ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSITION	STAGE TO CORRECT
1	ROAD	50+57/131 RT	30'	APPROACH	24'	6'	REMAIN	
2	EVAR ROAD	51+67/142 RT	36'	APPROACH	30'	6'	REMAIN	
3	EVAR ROAD	52+60/0	36'	APPROACH	34'	2'	REMAIN	

REFER TO THE AIRPORT AIRSPACE DRAWING FOR PENETRATIONS OF THE OUTER APPROACH SURFACES.

NOTES

1. THE OBSTRUCTION CLEARANCE SLOPE FOR RW 26W IS ESTABLISHED AS 10:1 PER FAA AC 150/5200-35, CHAP 4.
2. RUNWAY 26W DOES NOT MEET ANY OF THE CONDITIONS OF FAA AC 150/5300-13, TABLE A-2 FOR APPROACH END SITING SURFACE.

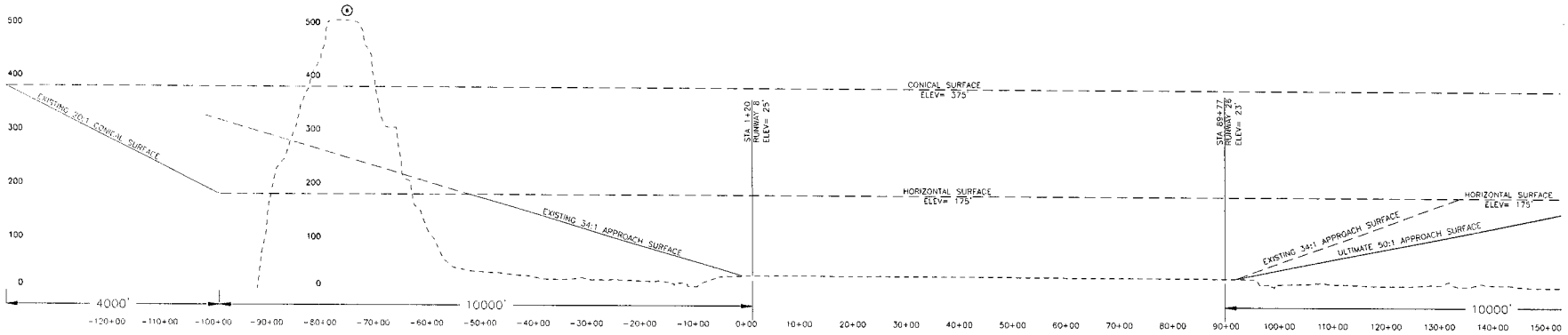
BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

INNER PORTION OF THE APPROACH SURFACE-RW 8W-26W

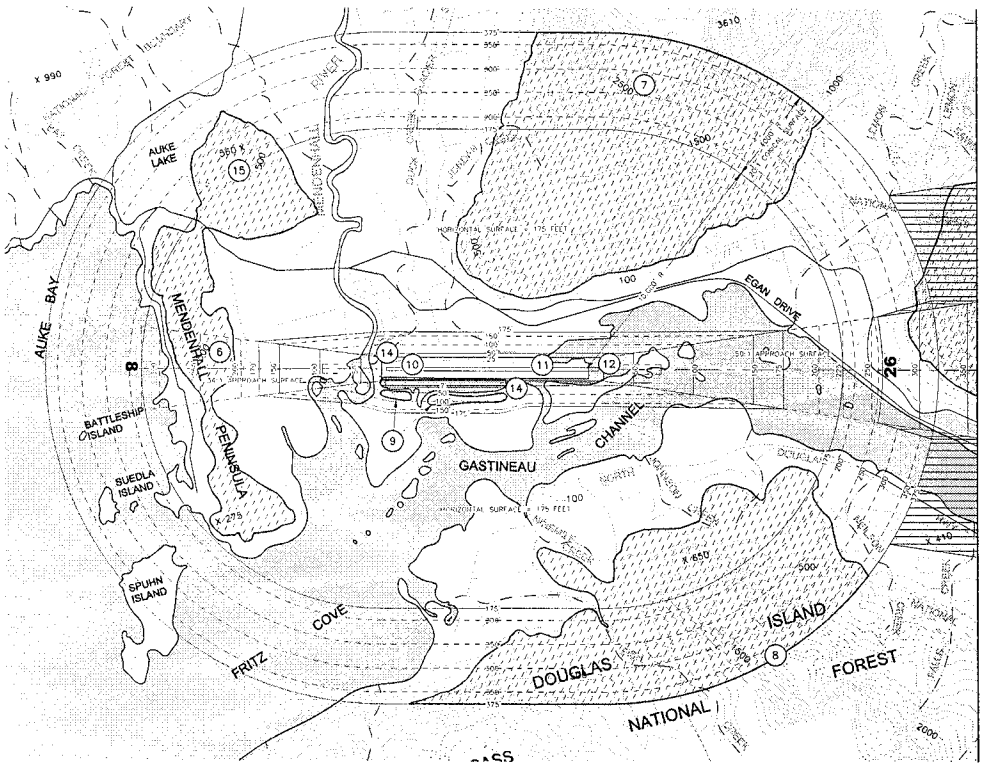
DATE: 04/15/2010
SHEET: 6 OF 11

Date Plotted: 2-20-2014 9:46:00 AM
Drawing Name: P:\Projects\Juneau Airport\Dwg\Layout Plan\Sheets\
File Name: 232-09 Juneau Airport Layout Plan.dwg
Designed By: JMHaslyn
Drawn By: JMHaslyn
Checked By: Shannon
FILE No.: 232-09



RUNWAY 8-26 PROFILE

1000' 500' 0 1000' 2000'
HORIZONTAL TO VERTICAL RATIO 1:10



SCALE IN FEET
2500' 1250' 0 2500' 5000'

MAG DECL 20°15'E

PART 77 SURFACE OBSTRUCTIONS TABLE (OUTER PORTION RW 8/26)								
ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSTION	STAGE TO CORRECT
(6)*	TERRAIN	-77+74/440' LT	500'	APPROACH	255'	245'	WILL REMAIN	
(7)*	TERRAIN	109+14/11830' LT	2900'	CONICAL	280'	2620'	WILL REMAIN	
(8)*	TERRAIN	183+18/11928' RT	2100'	CONICAL	383'	1717'	WILL REMAIN	
(9)	TREES	0+00-50+00/865' RT	70'	TRANSITIONAL	55'	15'	WILL REMAIN	
(10)	RVR	15+67/252' LT	37'	PRIMARY	29'	8'	WILL REMAIN	
(11)	RVR	64+61/254' LT	28'	PRIMARY	23'	5'	WILL REMAIN	
(12)	JAWS	90+10/474' LT	48'	PRIMARY	23'	25'	WILL REMAIN	
(13)	JAWS	55+80/259' RT	50'	PRIMARY	24'	26'	WILL REMAIN	
(14)	JAWS	-0+22/499' LT	51'	PRIMARY	25'	26'	WILL REMAIN	
(15)*	TERRAIN	-58+62/9180' LT	560'	CONICAL	212'	348'	WILL REMAIN	

* HIGHEST FEATURE IN A LARGE AREA OF TERRAIN PENETRATION. REFER TO HATCHED AREAS ON MAP.

NOTES

1. AIRPORT ELEVATION IS 25'.
2. ALL CONTOURS ARE IN FEET. BASEMAP DATA IS FROM USGS QUAD.
3. PRIMARY SURFACE WIDTH IS 1000'.
4. PART 77 SURFACES BASED ON ULTIMATE AIRPORT LAYOUT.
5. REFER TO INNER PORTION OF THE APPROACH SURFACE DRAWING FOR CLOSE-IN OBSTRUCTIONS.
6. APPROACH SURFACE FOR RW 8 IS 34:1 BEGINNING AT 200 FEET BEYOND THE RUNWAY END.
7. APPROACH SURFACE FOR RW 26 IS 50:1 BEGINNING AT 200 FEET BEYOND THE RUNWAY END.

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

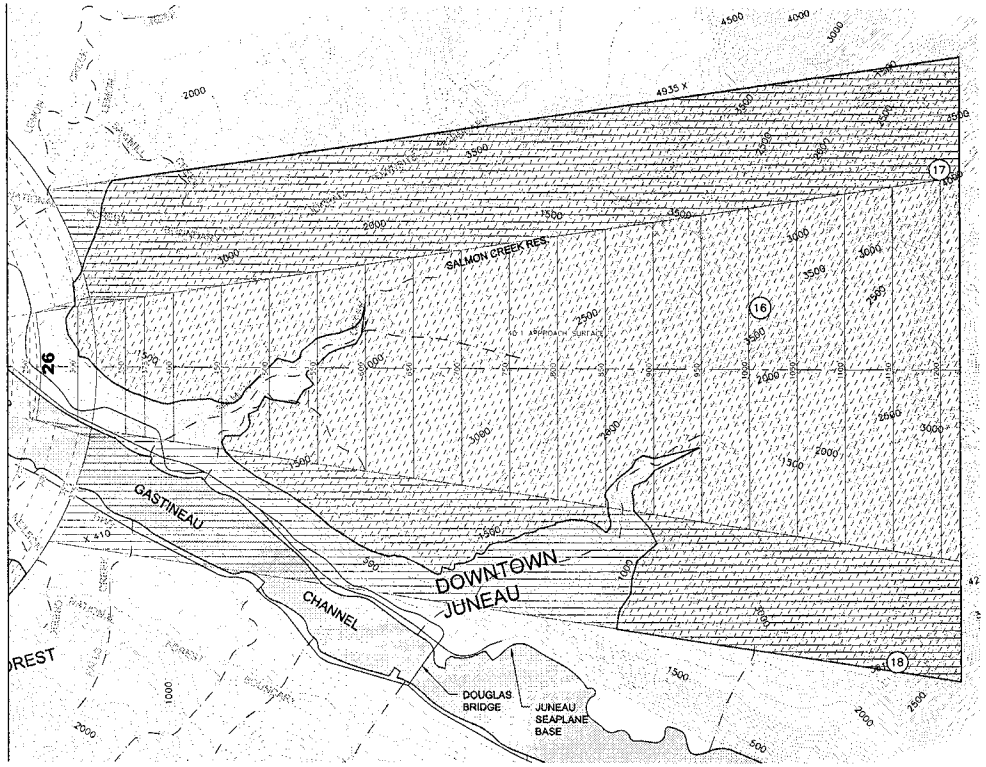
AIRPORT AIRSPACE
14 CFR, PART 77

DATE: 04/15/2010
SHEET: 7 OF 11

Date Plotted: 1:\DWG\11-12-00.DWG
Layout Name: 8-26 PROFILE
File Name: 2-20-14 AS-BUILT UPDATE

Designed By: Hamilton
Drawn By: Cahill
Checked By: Dietrich

FILE No.: 232-69



PART 77 SURFACE OBSTRUCTIONS TABLE (OUTER PORTION RW 8/26)								
ID #	DESCRIPTION	STATION/ OFFSET	ELEVATION	SURFACE PENETRATED	SURFACE ELEVATION	AMOUNT PENETRATION	DISPOSTION	STAGE TO CORRECT
(10)*	TERRAIN	508+53/2545' LT	4000'	APPROACH	1015'	2895'	WILL REMAIN	
(11)*	TERRAIN	583+43/8302' LT	3800'	TRANSITIONAL	1955'	1845'	WILL REMAIN	
(18)*	TERRAIN	565+27/12202' RT	4400'	TRANSITIONAL	1255'	3145'	WILL REMAIN	

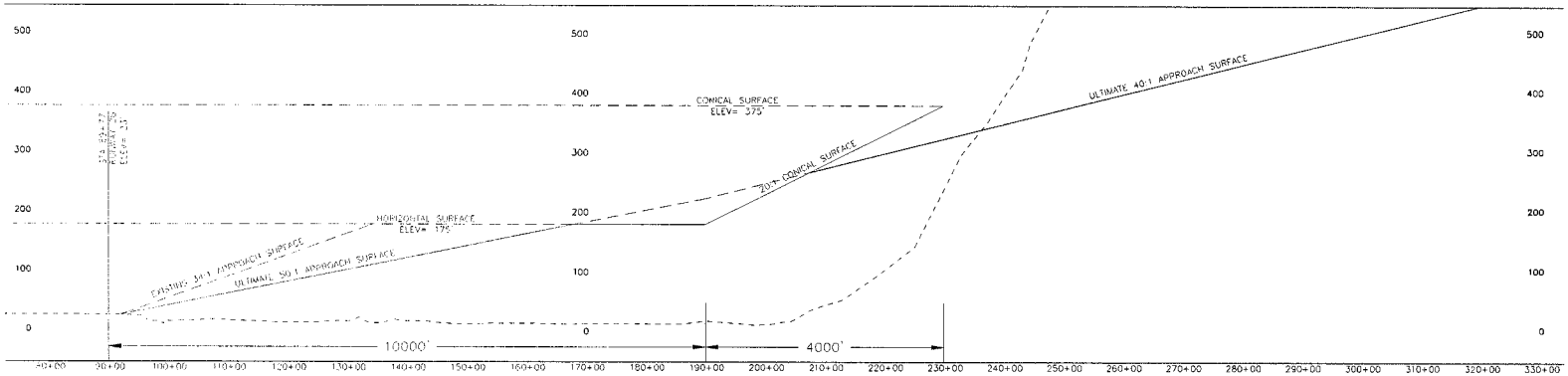
* HIGHEST FEATURE IN A LARGE AREA OF TERRAIN PENETRATION. REFER TO HATCHED AREAS ON MAP.

SCALE IN FEET
2500' 1250' 0 2500' 5000'

MAG DEC 20°22'E 2015

NOTES

1. AIRPORT ELEVATION IS 25'.
2. ALL CONTOURS ARE IN FEET. BASEMAP DATA IS FROM USGS QUAD.
3. PRIMARY SURFACE WIDTH IS 1000'.
4. PART 77 SURFACES BASED ON ULTIMATE AIRPORT LAYOUT.
5. REFER TO INNER PORTION OF THE APPROACH SURFACE DRAWING FOR CLOSE-IN OBSTRUCTIONS.
6. APPROACH SURFACE FOR RW 8 IS 34:1 BEGINNING AT 200 FEET BEYOND THE RUNWAY END.
7. APPROACH SURFACE FOR RW 26 IS 50:1 BEGINNING AT 200 FEET BEYOND THE RUNWAY END.



RUNWAY PROFILE

1000' 500' 0 1000' 2000'
HORIZONTAL TO VERTICAL RATIO 1:10

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

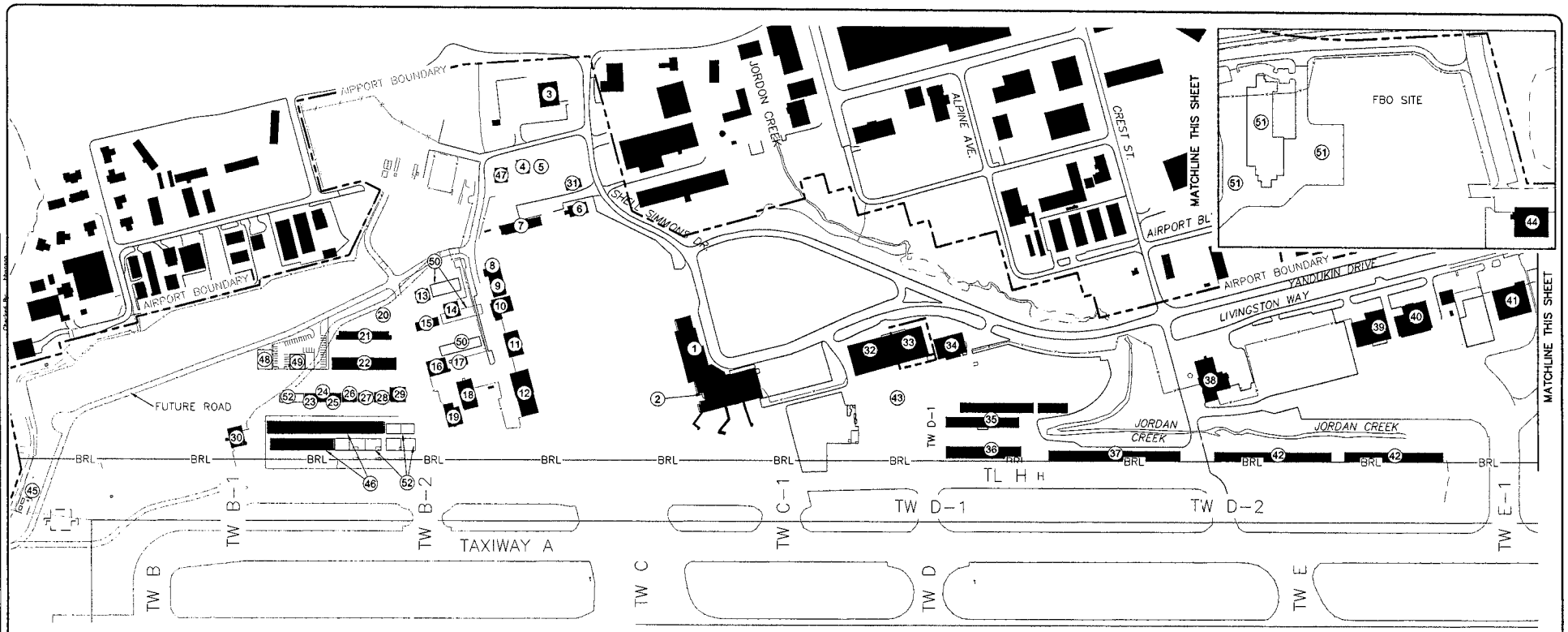
AIRPORT AIRSPACE
14 CFR, PART 77

DATE: 04/15/2010
SHEET: 8 OF 11

Date Plotted: 11/20/2013 11:31 AM
Layout Name: 11x17 Landscape
File Name: 11x17 Landscape

Designed By: Dowl
Drawn By: Dowl
Checked By: Brennan

FILE No: 232-89



BUILDING DATA TABLE

BLDG. NO.	STRUCTURE NAME	TOP ELEV.	OBSTRUCTION MARKING EXISTING	OBSTRUCTION MARKING ULTIMATE	REMARKS
1	TERMINAL BUILDING	51	–	–	
2	F.A.A. CONTROL TOWER	95	Y	Y	
3	AFSS / SACOM	34	–	–	
4	J/D TELEPHONE	29	–	–	
5	LEASED TO HERTZ	37	–	–	
6	AERO SERVICES (SUBLESSEE: FEDEX) R&L LEASING	39	–	–	
7	SNOW REMOVAL EQUIPMENT BUILDING	38	–	–	
8	LAB FLYING	47	–	–	
9	LAB FLYING	47	–	–	
10	HEIMBIGNER	40	–	–	
11	ALASKA AIRLINES	34	–	–	
12	ALASKA AIRLINES	41	–	–	
13	PRIVATE HANGAR	38	–	–	
14	FISH AND WILDLIFE	46	–	–	TO BE REMOVED
15	3 PRIVATE T-HANGARS	33	–	–	
16	DUANE PACKER SUBLEASE TO UNITED PARCEL SERVICE	49	–	–	
17	R & L LEASING	43	–	–	
18	AERO SERVICES	48	–	–	
19	AERO SERVICES	35	–	–	
20	PRIVATE HANGAR	39	–	–	
21	T-HANGAR (7 UNITS)	30	–	–	
22	T-HANGAR (12 UNITS)	34	–	–	
23	PRIVATE HANGAR	39	–	–	
24	PRIVATE HANGAR	36	–	–	
25	PRIVATE HANGAR	36	–	–	
26	PRIVATE HANGAR	42	–	–	
27	PRIVATE HANGAR	39	–	–	
28	PRIVATE HANGAR	39	–	–	
29	PRIVATE HANGAR	41	–	–	
30	CIVIL AIR PATROL	36	–	–	TO BE REMOVED
31	DELTA WESTERN	35	–	–	

BUILDING DATA TABLE

BLDG. NO.	STRUCTURE NAME	TOP ELEV.	OBSTRUCTION MARKING EXISTING	OBSTRUCTION MARKING ULTIMATE	REMARKS
32	SAND STORAGE	53	–	–	TO BE REMOVED/RELOCATED
33	LOKEN AVIATION (PRIVATE PROPERTY)	53	–	–	ON PROPERTY INHOLDING
34	WARD AIR (RED LEASING)	52	–	–	
35	BLOCK 'L' EXECUTIVE HANGARS (TRUMAN MIDDLETON-5 UNITS)	40	–	–	
36	BLOCK 'M' T-HANGARS (14 UNITS)	35	–	–	
37	BLOCK 'N' EXECUTIVE HANGARS (9 UNITS)	38	–	–	
38	AIRCRAFT RESCUE AND FIRE FIGHTING BUILDING	56	–	–	
39	SILVER BAY LOGGING	46	–	–	
40	ALASKA NATIONAL GUARD	51	–	–	
41	WINGS OF ALASKA	53	–	–	
42	BLOCK 'O' EXECUTIVE HANGARS (14 UNITS)	41	–	–	
43	COASTAL FUEL	26	–	–	TO BE REMOVED/RELOCATED
44	TEMSCO HELICOPTERS	48	–	–	
45	F.A.A. SHELTER		–	–	
46	BLOCK 1 HANGARS		–	–	
47	R&L LEASING		–	–	
48	FUTURE C.A.P. HANGAR		–	–	
49	FUTURE FISH AND WILDLIFE HANGAR		–	–	
50	FUTURE HANGARS		–	–	
51	FUTURE SRE FACILITY		–	–	
52	FUTURE HANGARS		–	–	

MAG DEC 20.0°E 2015

200' 100' 0 200' 400'
SCALE IN FEET

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

TERMINAL AREA PLAN

DATE: 04/15/2010
SHEET: 9 OF 11

DOWL FILE No.: 232-89

Drawing By: JBH
Date: 04/15/2010
Checked By: Johnson

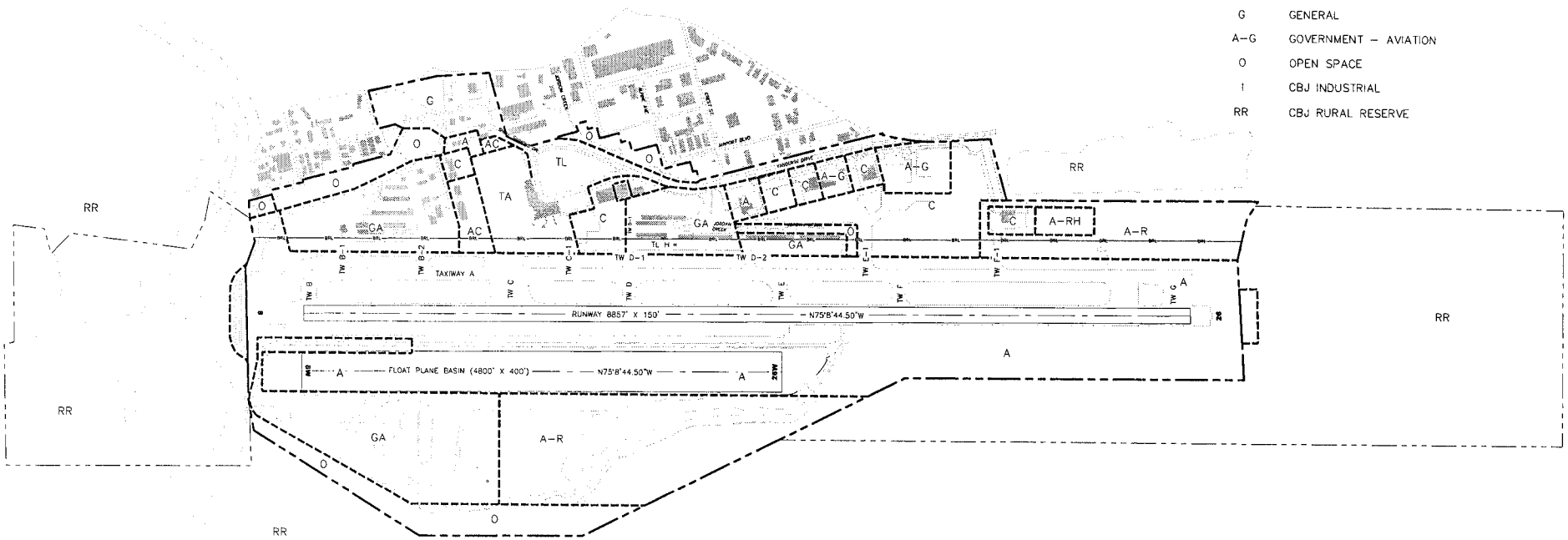
Date Plotted:
Layer Name:
File Name:

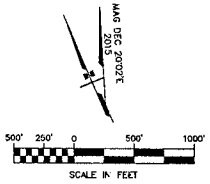
LEGEND

- EXISTING PAVEMENT
- EXISTING PROPERTY LINE
- EXISTING TRACT LINE
- LAND USE BOUNDARY
- BRL — BUILDING RESTRICTION LINE

ON-AIRPORT LAND USE

A	AVIATION
TA	TERMINAL AREA (AIRSIDE)
TL	TERMINAL AREA (LANDSIDE)
C	COMMERCIAL (AVIATION)
GA	GENERAL AVIATION
AC	AIR CARGO
A-R	AIRPORT RESERVE
A-RH	AIRPORT RESERVE - HELICOPTER
G	GENERAL
A-G	GOVERNMENT - AVIATION
O	OPEN SPACE
I	CBJ INDUSTRIAL
RR	CBJ RURAL RESERVE





BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

AIRPORT LAND USE

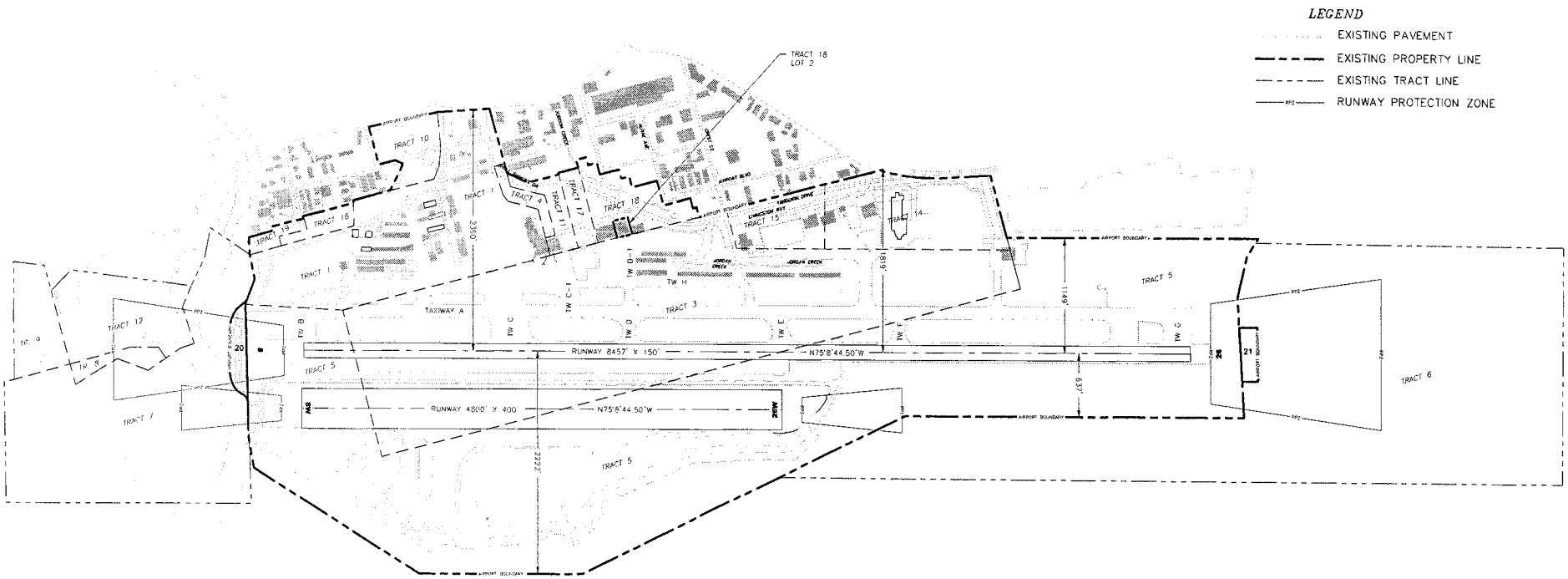
DATE: 04/15/2010
SHEET: 10 OF 11

DOWL FILE No.: 232-89

Designed By: Jones
Drawn By: Lefever
Checked By: Mattsson

Date Plotted:
Layout Name:
File Name:

Attachment 12D



NOTES:

1. THE BOUNDARY DATA SHOWN ON THIS MAP WAS COMPILED FROM RECORD DATA. NO BOUNDARY SURVEY WAS PERFORMED IN THE FIELD. THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. ALL ACREAGES SHOWN ARE COMPUTED, AND ARE APPROXIMATE BASED ON THE RECORD DATA.

PROPERTY STATUS

TRACT#	INTEREST	GRANTOR	GRANTEE	PARCEL SIZE	DATE ACQUIRED	RECORDED DOC NO.	ACQUIRED AIP NO.
1	QUIT CLAIM DEED	CIVIL AERONAUTICS ADMINISTRATION	CITY & BOROUGH OF JUNEAU	64.80 AC.±	10-28-1953		
2	QUIT CLAIM DEED	CIVIL AERONAUTICS ADMINISTRATION	CITY & BOROUGH OF JUNEAU	7.28 AC.±	10-28-1953		
3	QUIT CLAIM DEED	CIVIL AERONAUTICS ADMINISTRATION	CITY & BOROUGH OF JUNEAU	182.90 AC.±	10-28-1953		
4	QUIT CLAIM DEED	FEDERAL AVIATION ADMINISTRATION	CITY & BOROUGH OF JUNEAU	2.61 AC.±	04-26-1967		
5	PATENT	STATE OF ALASKA	CITY & BOROUGH OF JUNEAU	338.73 AC.±	11-30-1972		
6	AVIGATION EASEMENT	STATE OF ALASKA, DOL	CITY & BOROUGH OF JUNEAU	22.15 AC.±	11-31-1972		
7	AVIGATION EASEMENT	STATE OF ALASKA, DOL	CITY & BOROUGH OF JUNEAU	91.88 AC.±	11-31-1972		
8	WARRANTY DEED	WILDE, GIBSON AND MAIER	CITY & BOROUGH OF JUNEAU	2.94 AC.±	05-30-1967		
9	AVIGATION EASEMENT	FILE AND AASA	CITY & BOROUGH OF JUNEAU	10.07 AC.±	02-05-1965		
10	DEED	GLACIER INVESTMENT COMPANY	CITY & BOROUGH OF JUNEAU	1.17 AC.±	09-12-1961		
11	F.A.A. LEASE, TERMINATES 11-30-2014	FEDERAL AVIATION ADMINISTRATION	CITY & BOROUGH OF JUNEAU	5.70 AC.±			
12	AVIGATION EASEMENT	JOE AND BETTY SMITH	CITY & BOROUGH OF JUNEAU	22.01 AC.±	05-01-1973		
13	E.S.S.A INSTRUMENT SPACE AGREEMENT PERMIT	U.S. WEATHER BUREAU	CITY & BOROUGH OF JUNEAU	0.15 ±			
14	QUITCLAIM DEED	FRED S. AND E. LENORE HONSINGER, THEODORE J. AND SARA J. SMITH	CITY & BOROUGH OF JUNEAU	29.13 AC.±	12-24-1975		
15	QUITCLAIM DEED	FRED S. AND E. LENORE HONSINGER, THEODORE J. AND SARA J. SMITH	CITY & BOROUGH OF JUNEAU	11.08 AC.±	05-29-1976		
16	WARRANTY DEED	GLACIER INVESTMENT COMPANY	CITY & BOROUGH OF JUNEAU	3.28 AC.±	07-30-1976		
17	STATUTORY WARRANT DEED	VIVIAN ERWIN, LINDA M. BURLING, AND MARSHA BENNET	CITY & BOROUGH OF JUNEAU	2.51 AC.±	09-12-1979		
18	CONDEMNATION	FRANCIS A., JOSEPH M., SIDNEY J., THEORORE J., AND BETTY SMITH	CITY & BOROUGH OF JUNEAU	11.56 AC.±	05-28-1980		
18 LOT 1	DEED OF TRUST TO JAMES A. AND MARGARET H. MCCONAGHY	ALASKA N.W. PROPERTIES	CITY & BOROUGH OF JUNEAU	0.8 AC.±	02-01-1980		
18 LOT 2	NONE (INHOLDING) TO BE ACQUIRED	ALASKA AIRLINES	KENNETH H. LOKEN CHANNEL FLYING	0.6 AC.±	AUGUST 1978		
19	DEED	CLARK S. GROENING AND ROSEMARY GUTE	CITY & BOROUGH OF JUNEAU	2.0 AC.±	01-29-2001		
20	TO BE ACQUIRED	STATE OF ALASKA	CITY & BOROUGH OF JUNEAU	2.7 AC.±	–		
21	TO BE ACQUIRED	STATE OF ALASKA	CITY & BOROUGH OF JUNEAU	2.06 AC.±	–		

MAG DEC 20'02'E 2015

500' 250' 0 500' 1000'
SCALE IN FEET

BY	DATE	REVISION
DOWL	2/20/14	ASBUILT UPDATE

JUNEAU AIRPORT
JUNEAU, ALASKA
AIRPORT LAYOUT PLAN

PROPERTY MAP

DATE: 04/15/2010
SHEET: 11 OF 11

Date Plotted: 2/20/2014 2:12 PM
Layout Name: 11-PROPERTY MAP
File Name: S:\Projects\2013\2013-0177-00 JNU ALP Update\Drawings\Layout\11-PROPERTY MAP.dwg

Designed By: DOWL
Drawn By: JJ
Checked By: Brennan

DOWL FILE No.: 232-49

U.S. Department
of Transportation

**Federal Aviation
Administration**

Alaskan Region

222 W. 7th Avenue #14
Anchorage, Alaska
99513-7587

May 27, 2014

RECEIVED
JUN - 4 2014
Juneau International
Airport

Patricia deLaBruere
Airport Manager
Juneau International Airport
1873 Shell Simmons Drive, Suite 200
Juneau, AK 99801

Dear Ms. deLaBruere:

Juneau International Airport
Juneau, Alaska
As-Built Airport Layout Plan
2009-AAL-64-NRA

We have completed our review of the Juneau International Airport As-Built Airport Layout Plan (ALP), and find it acceptable for documenting the existing conditions of the airport.

The FAA has only limited means to prevent the construction of structures near an airport. The airport sponsor has the primary responsibility to protect the airport environs through such means as local zoning ordinances, property acquisition, avigation easements, letters of agreement or other means.

This ALP approval is conditioned on acknowledgement that any development on airport property requiring Federal environmental approval must receive such written approval from FAA prior to commencement of the subject development. This ALP approval is also conditioned on acceptance of the plan under local land use laws. We encourage appropriate agencies to adopt land use and height restrictive zoning based on the plan.

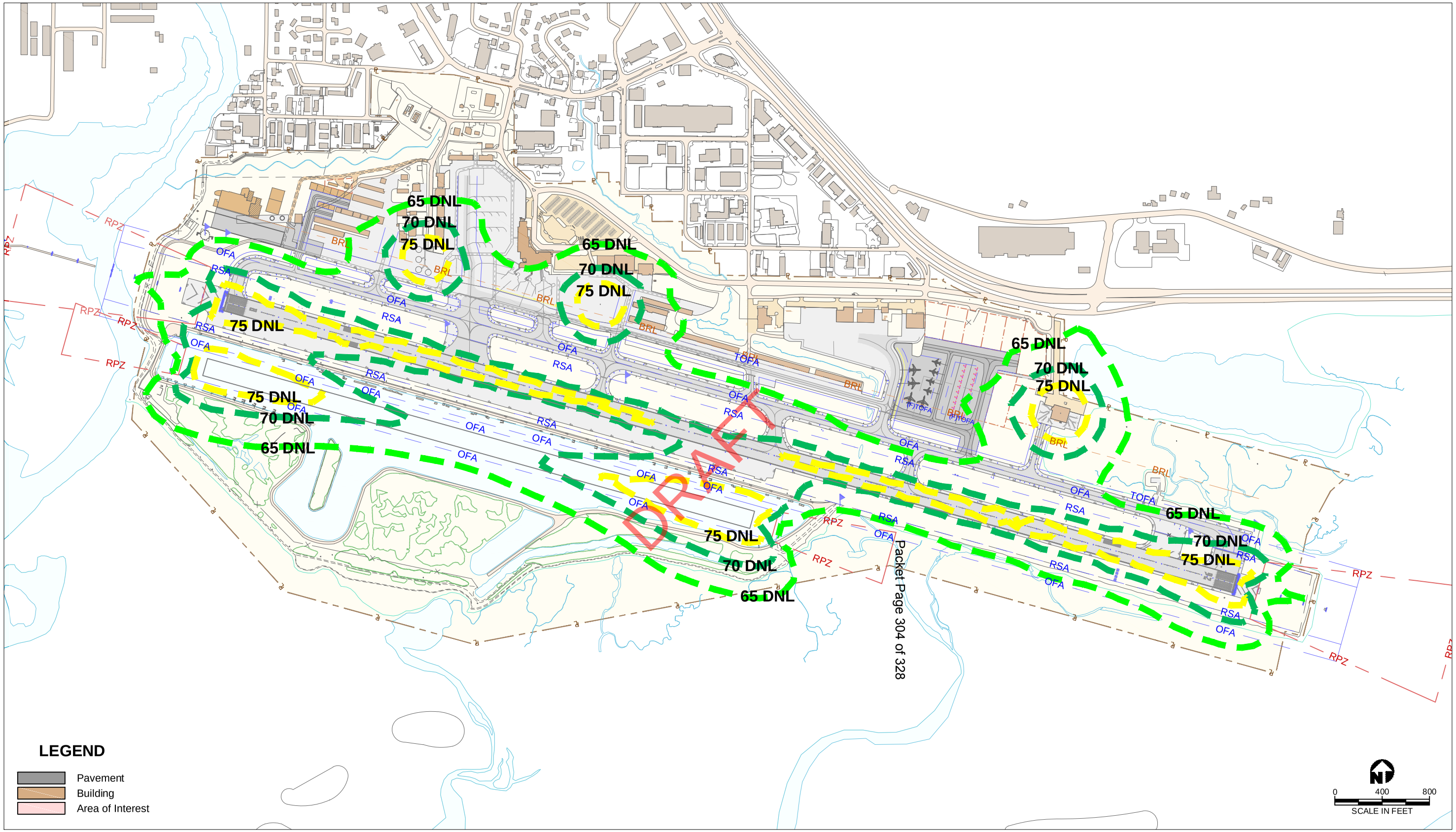
Approval of the plan does not indicate that the United States will participate in the cost of any development proposed. AIP funding requires evidence of eligibility and justification at the time a funding request is ripe for consideration. When construction of any proposed structure or development indicated on the plan is undertaken, such construction requires normal 45-day advance notification to FAA for review in accordance with applicable Federal Aviation Regulations (i.e., Parts 77, 157, 152, etc.). More notice is generally beneficial to ensure that all statutory, regulatory, technical and operational issues can be addressed in a timely manner.

Please attach this letter to the enclosed ALP and retain it in your files for future use.

Sincerely,

G. Eric Helms, Lead Engineer
Airports Division

Enclosure: Juneau International Airport ALP

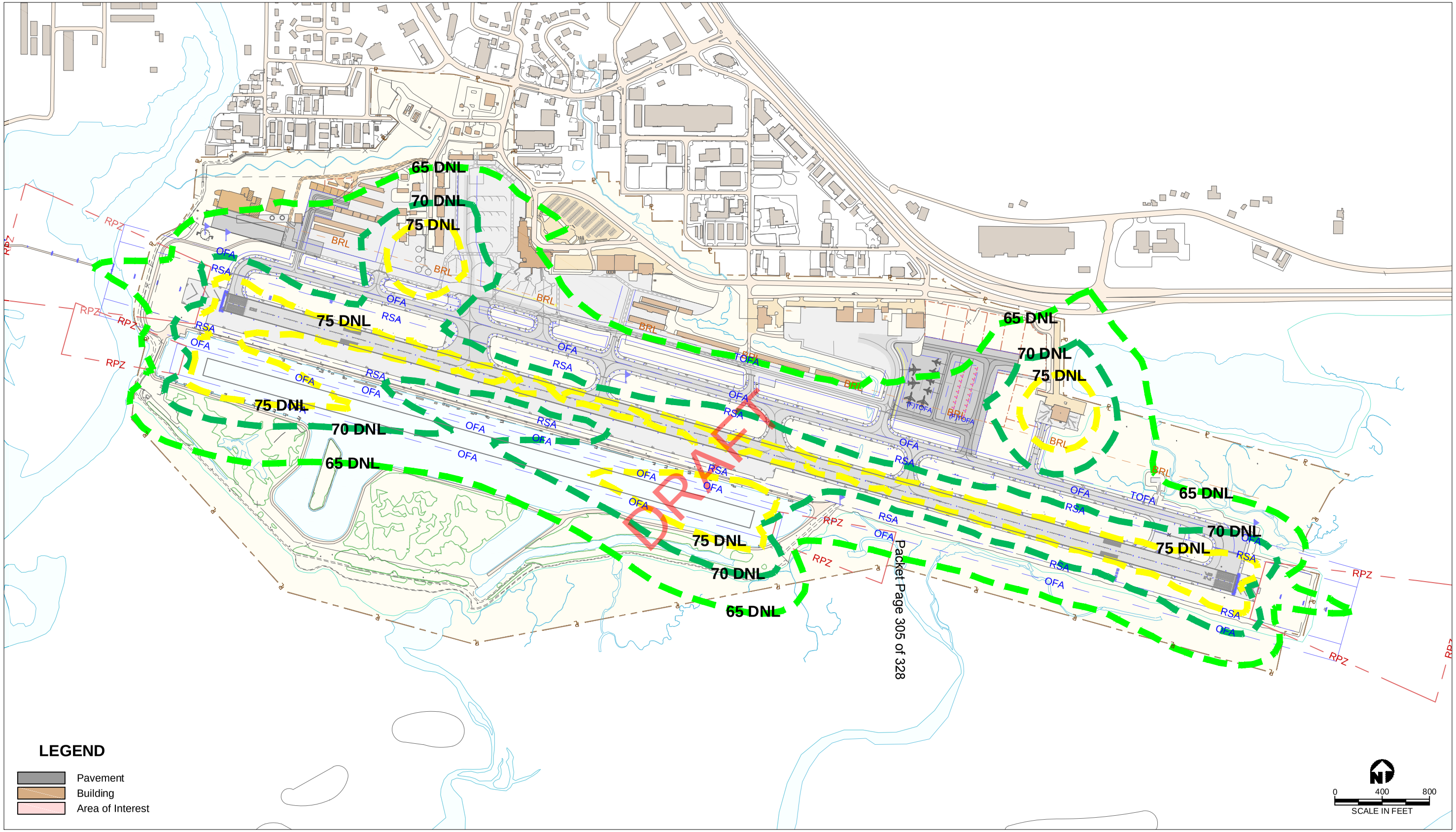


AECOM
1501 4TH AVENUE, SUITE 1400
SEATTLE, WA 98101
PHONE: (206) 438-2700

JUNEAU INTERNATIONAL AIRPORT
AIRPORT SUSTAINABILITY MASTER PLAN

INM Noise Model - Year 2015

SCALE:



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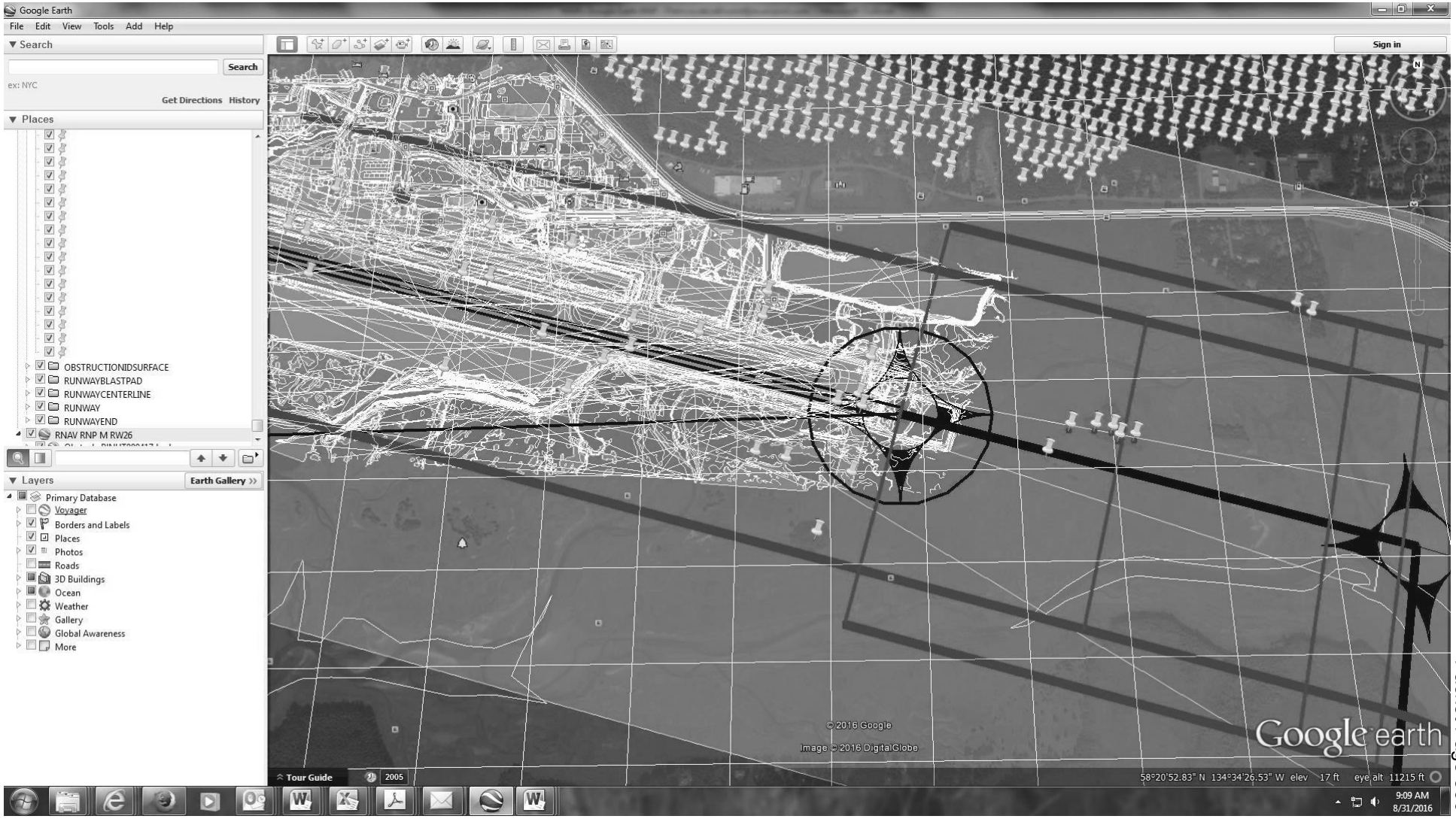
SEATTLE, WA 98101
PHONE: (206) 438-2700

JUNEAU INTERNATIONAL AIRPORT
AIRPORT SUSTAINABILITY MASTER PLAN

INM Noise Model - Year 2035

SCALE: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Photos
Roads
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Ocean
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Sign in
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Google earth
Tour Guide
2005
58°20'52.83" N 134°34'26.53" W elev 17 ft eye alt 11215 ft
9:09 AM
8/31/2016

DRAFT MINUTES
WETLANDS REVIEW BOARD
October 20, 2016, 5:15 p.m. City Hall Room 224

Meeting Summary

Roll Call

Board Members Present: Brenda Wright, Lisa Hoferkamp, Irene Gallion, Hal Geiger, Nina Horne

Board Members Absent: Kirsten Shelton-Walker, Percy Frisby, Andrew Campbell, Amy Sumner

A quorum was present.

Staff Members Present: Teri Camery, Senior Planner; Eric Feldt, Planner II

Public Present: Spike Bicknell, Bicknell Inc.; David Blommer, Bicknell Inc.

Meeting called to order at 5:20 p.m.

II. Minutes approved as written for June 16, 2016 Regular Meeting

III. Agenda approved

IV. Public Participation on Non-Agenda Items**.**
None.

V. Board Comments.

None.

VI. <u>Agenda Items</u>

1) **AME2016 0007 Request to change 23 acres of the 83 acre Honsinger Pond parcel from Rural Reserve to Industrial zoning**

Dr. Geiger explained his wife's professional work with the applicant. He said that he had not discussed the development with her and felt he could review the application objectively. Ms. Wright, Board Chair, approved Dr. Geiger's participation in the review after confirming that board members and the applicants did not have any objection.

Staff presentation

Ms. Camery explained that the Board was reviewing this project in its advisory role, and that board comments would be included in agency review section of the staff report to the Planning Commission. She said that the Community Development Department's review of re-zone applications does not include review of habitat impacts, since there is no specific project proposed. She said that the review is based on conformance with the 2013 Juneau Comprehensive Plan. She provided an overview of the proposal, and explained the differences between the Rural Reserve and Industrial zoning districts. She particularly noted that Rural Reserve does not mean "reserved" in terms of preservation, and that this zoning district is almost exclusively used for outlying areas as a default zoning district until more specific uses may be identified. She said that the subject parcel was a rare remnant within an urban area. She said that specific project developments on the site would go back to the Board in the future if those developments impacted wetlands. She explained the Juneau Wetlands Management Plan wetland categories on the parcel, and said that the applicant has a U.S. Army Corps of Engineers Permit to fill the pond.

Applicant Presentation

Mr. Bicknell explained his reasons for the requested re-zone and the need for more industrial property within the Borough. He said that the re-zone is a starting point for future development, and that he does not have any specific uses planned at this time. He noted that the motocross application, also proposed for the site, would be a temporary use for approximately three years until the property is developed for other purposes.

Ms. Horne noted a stream that goes through the parcel and said that she would research the issue to determine if the stream reached the pond.

Ms. Wright asked about the depth of the pond and whether saltwater reached the pond. Mr. Bicknell said the pond depth was 28 feet, and the Alaska Department of Fish and Game (ADFG) had concluded that that the water was brackish. Ms. Wright asked about ADFG studies regarding the pond. Ms. Camery said that there were many studies on the pond and the adjacent wetlands, however she did not include this information in the board packet because Mr. Bicknell already has the permit to fill the pond, and because the board is not evaluating wetland fill footprints at this time.

Mr. Bicknell noted that he was in negotiations with the Southeast Alaska Land Trust to purchase the intertidal wetlands on the property. Board members reviewed the maps with Mr. Bicknell to review those boundaries.

Board Discussion and Motion

Ms. Gallion asked about comments from DOT, potential expansion of Yandukin Drive, and the Juneau International Airport. Ms. Camery said that CDD had received extensive comments from both agencies, and that access to the site was a primary concern. She said she was not aware of any potential road expansions into the wetland area.

The Board concluded that there was no need to make a motion on the proposal, noting that the Board would review specific developments in the future as needed.

VII. Pending Permits and Updates

Wetlands Management Plan Update and Streamside Setback Update

Ms. Camery said that work on the draft Juneau Wetlands Management Plan was still on hold due to other priorities. She said that she was working on the update to the streamside setback ordinance. She said that the general intention of the revision is to allow benign uses within the setback outright, provided that certain standards have been met. She said she would bring the revision to the board for their advisory review as soon as she has a solid draft.

VIII. Planning Commission Liaison Update.

No Planning Commissioners were in attendance.

IX. Next meeting:

Regular Meeting. Thursday November 17, 5:15 pm, City Hall room 224, tentative.

The meeting was adjourned at approximately 6:20 p.m.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PLANNING COMMISSION
NOTICE OF DECISION
Date: January 15, 2014
File No.: AME2013 0015

Bicknell, Inc.
P.O. Box 33517
Juneau, AK 99803

Application For:	A request to rezone 82 acres of Rural Reserve to a mixture of Industrial, Light Commercial and Rural Reserve.
Legal Description:	USS 1568 TR B
Property Address:	Glacier Highway
Hearing Date:	November 26, 2013

The Planning Commission, at its regular public meeting on December 10, 2013, did not adopt the analysis and findings listed in the attached memorandum dated November 21, 2013, and with five no votes and two yes votes, denied the request to rezone 82 acres of Rural Reserve (RR) to a mixture of Industrial, Light Commercial and Rural Reserve. The Commission adopted the findings below to support their decision:

1. The parcel, as it is zoned today, has development opportunities. The current zoning does not prohibit it from being used or developed. Current uses can include resource extraction, recreation, visitor-oriented, and residential uses.

2. The City has missed an opportunity by not purchasing the property to maintain the scenic and habitat values.

3. Industrial uses so close to a sensitive habitat area is a concern.

4. Light commercial is not appropriate for the area.

5. Working with the situation we can maintain the view shed.

6. The Comprehensive Plan shows the need for industrial land and also shows intent to acquire the land for public purposes, for a park and viewshed protection.

7. This parcel of land is an important scenic corridor and iconic viewshed that defines the community.

8. The wetlands and the parcel have value to the community of Juneau. We can't allow further degradation of the wetlands. The loss of 39 percent of the wetlands over time, per public comment, is credible and concerning.

9. This parcel of land, as it is currently zoned has social, environmental, and financial value to future generations.

10. There has been a significant amount of public comment in opposition to this rezoning proposal. There hasn't been any public support shown for this development concept.

11. Large water fowl create safety concerns for the airport, but there is a float plane pond adjacent to the airport. And, there is a water canal system that has been developed between the airport and the airport dike trail. These water systems also attract birds and are very close to the airport.

12. The Wetlands Review Board recommended the best use of this parcel would be to restore the developed portions to their natural state and to not disturb the undeveloped area. The benefits of this approach would be to increase the safety of the airport by removing the pond that attracts large birds and also to provide additional buffer for the Mendenhall State Game Refuge.

At the regular Planning Commission meeting on January 14, 2014 the Commission considered a motion to reconsider the December 10 2013 vote on this rezone request. With a vote of two yes votes and three no votes the motion to reconsider failed.

Attachments: November 21, 2013 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding AME2013 0015.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Project Planner: _____
Beth McKibben, Planner
Community Development Department

_____
Michael Satre, Chair
Planning Commission

_____ 1/17/2014
Filed With City Clerk Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PLANNING COMMISSION
NOTICE OF DECISION
Date: May 17, 2013
File No.: AME2013 0007

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Application For:	Planning Commission Recommendation to the City and Borough Assembly to amend the Comprehensive Plan Map G from *Resource Development* to mix of *Industrial, General Commercial,* and *Resource Development* in the area of Honsinger Pond.
Legal Description:	USS 1568 TR B
Property Address:	Glacier Hwy
Parcel Code No.:	5-B14-0-102-007-0
Hearing Date:	April 9, 2013

The Planning Commission, at its regular public meeting, did not adopt the analysis and findings listed in the attached memorandum dated April 4, 2013 by a vote of three yes and three no votes. No other motions or motions to reconsider were made, no further action was taken on AME2013 0007, and consequently the request for the map amendment has been denied. At the regular meeting on May 14, 2013 the Planning Commission adopted the findings below to support the action. The findings are:

1. The parcel, as it is zoned today, has development opportunities. The current zoning does not prohibit it from being used or developed. Current uses can include resource extraction, recreation, visitor-oriented, and residential uses.

2. The City has missed an opportunity by not purchasing the property to maintain the scenic and habitat values.

3. Industrial uses so close to a sensitive habitat area is a concern.

4. General commercial is not appropriate for the area.

5. Working with the situation we can maintain the view shed.

6. The Comprehensive Plan shows the need for industrial land and also shows intent to acquire the land for public purposes, for a park and viewshed protection.

Attachment 15

7. This parcel of land is an important scenic corridor and iconic viewshed that defines the community.

8. The wetlands and the parcel have value to the community of Juneau. We can't allow further degradation of the wetlands. The loss of 39 percent of the wetlands over time, per public comment, is credible and concerning.

9. This parcel of land, as it is currently zoned has social, environmental, and financial value to future generations.

10. There has been a significant amount of public comment in opposition to both this map amendment and the prior withdrawn rezoning proposal. There hasn't been any public support shown for this development concept.

11. Large water fowl create safety concerns for the airport, but there is a float plane pond adjacent to the airport. And, there is a water canal system that has been developed between the airport and the airport dike trail. These water systems also attract birds and are very close to the airport.

12. The Wetlands Review Board recommended the best use of this parcel would be to restore the developed portions to their natural state and to not disturb the undeveloped area. The benefits of this approach would be to increase the safety of the airport by removing the pond that attracts large birds and also to provide additional buffer for the Mendenhall State Game Refuge.

Attachments: April 4, 2013 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding AME2013 0007.

May 10, 2013 memorandum from Beth McKibben, Community Development to the CBJ Planning Commission regarding AME2013 007.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Project Planner: Beth McKibben, Planner
Community Development Department

Michael Satre, Chair
Planning Commission

Filed With City Clerk Deputy

Date 5/21/13

Attachment 15

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended map change. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

TABLE OF PERMISSIBLE USES - CBJ 49.25.300

			Zones														
	Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I
1.000	**RESIDENTIAL**																
1.100	Single-family dwellings:																
	1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1	1 A	1 A
	1.120	Single-family detached, two dwellings per lot	1	1	1												
	1.130	Single-family detached, accessory apartments X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	1.140	Single-family detached, two dwelling per lot, accessory apartment X	1, 3	1, 3	1, 3												
1.200	Duplex		1	1	1	1		1	1	1	1	1	1	1	1		
1.300	Multifamily dwellings							1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3		
1.500	Child and Day care homes:																
	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1			
	1.520	Reserved															
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1			
	1.540	Reserved															
1.550	Child care residence, 6 to 9 children under 18 years of age			3	3	3	3	3	3	3	3	3	3	3			

1.600	Miscellaneous, rooms for rent situations:																
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 N		
	1.620	Hotels, motels	3								1, 3	1, 3	1, 3	1, 3	3 N	3 N	
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
1.700	Home occupations		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1.800	Mobile homes:																
	1.810	Residential mobile homes on individual lots E	3	3	3												
	1.815	Caretakers mobile homes on individual lots E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
	1.820	Mobile home parks E					3	3	3	3	3	3					
	1.830	Mobile home subdivision E				3	3	3	3	3	3	3					
	1.840	Recreational vehicle parks F	3 F	3 F	3 F												
1.900	Common wall development:																
	1.910	Two dwelling units				1	1	1	1	1							
	1.911	Accessory apartments X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	1.920	Three or more dwelling units					1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3			
2.000	**SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT G**																

2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods:																
	2.110	Reserved															
	2.120	Miscellaneous									1	1	1	1	3 N	3 N	3
	2.130	Marine merchandise and equipment	3 T								1, 3	1, 3	1, 3	1, 3	1, 3	3 N	3
2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods										1, 3	1, 3	1, 3	1, 3	3 N	3 N	3
2.300	Marijuana retail store		3								3	3	3	3	3	3	3
3.000	**PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES G**																
3.050	Offices of not more than 1,000 square feet			3	3	3	3	3	3	3	1	1	1	1	1 N		
3.100	Offices greater than 1,000 but not more than 2,500 square feet							3	3	3	1	1	1	1	3 N		
3.200	Reserved																
3.300	Research, laboratory uses		3 T								1, 3	1, 3	1, 3	1, 3	1 N , 3 N	1 N , 3 N	1, 3
3.400	Offices greater than 2,500 square feet										1, 3	1, 3	1, 3	1, 3	1 N , 3 N		3 S
3.500	Marijuan testing facility		3								3	3	3	3			3
4.000	**MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS G**																
4.050	Light manufacturing		3 T						3	3	1, 3	1, 3	1, 3	1, 3	1 N , 3 N	1 N , 3 N	1, 3
4.070	Medium manufacturing		3 T									3	3	3	3 N	1 N , 3 N	1, 3

4.100	Heavy manufacturing		3 T	3 Q												3 N	3
4.150	Rock crusher		3 T	1 Q	1 Q											3 N	3
4.200	Storage of explosives and ammunition		3													3 N	3
4.210	Seafood processing		3 T												3	1, 3	1, 3
4.220	Marijuana product manufacturing facility		3 AC									3	3				3
5.000	**EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES**																
5.100	Schools:																
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3			
	5.120	Trade, vocational schools, commercial schools	3 T								3	3	3	3	3 N	3 N	3
	5.130	Colleges, universities	3 T	3	3	3	3	3	3	3	3	3	3	3	3 N	3 N	3
5.200	Churches, synagogues, temples		3 T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 N , 3 N	3 N	1, 3
5.300	Libraries, museums, art galleries		3 T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 N		
5.400	Social, fraternal clubs, lodges, union halls, yacht clubs		3 T								1, 3	1, 3	1, 3	1, 3	1 N , 3 N	3 N	1, 3
6.000	**RECREATION, AMUSEMENT, ENTERTAINMENT**																
6.100	Indoor activity conducted entirely within building or substantial structure:																
	6.110	Bowling alleys, billiard, pool halls									1, 3	1, 3	1, 3	1, 3			3
	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3

	6.130	Theaters seating for 200 or fewer	3 T						3	3	1	1	1	1	3 N		3
	6.135	Theaters seating from 201 to 1,000									3	1	1	1	3 N		3
	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3	3 N		
	6.150	Indoor shooting range	1, 3									3					3
6.200	Outdoor activity conducted outside enclosed buildings or structures:																
	6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	1, 3			3 N		3
	6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 N		3
	6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3									3					3
	6.250	Reserved															
	6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	6.262	Parks with improved facilities, not approved in conjunction with a major subdivision															
	6.264	Capacity for up to 20 people W	1 T	1	1	1	1	1	1	1	1	1	1	1	1	3 N	
	6.266	Capacity for more than 20 people W	3 T	3	3	3	3	3	3	3	3	3	3	3	3 N	3 N	
	6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3 N	3 N	3
	6.280	Shooting ranges	3														3
7.000	**INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES**																
7.100	Hospital										3	3	3	3			

7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3			
7.200	Assisted living		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3			
7.300	Day care centers						3	3	3	1, 3	1, 3	1, 3	1, 3			
7.310	Child care centers	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3			
8.000	**RESTAURANTS, BARS, NIGHTCLUBS**															
8.050	Small restaurants, less than 1,000 ft 2 without drive through service	3 T					3	3	3	1	1	1	1	1 N		3
8.100	Restaurants, bars without drive through service	3 T								1, 3	1	1, 3	1, 3	1 N , 3 N	3 N	3
8.200	Restaurants, coffee stands with drive through service									1, 3	1		3	1 N , 3 N	3 N	3
8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	1 N , 3 N	3 N	
9.000	**BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS**															
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3			1, 3
9.100	Motor vehicle repair and maintenance, including body work										3					1
9.200	Automotive fuel station	3 T								3	1					1
9.300	Car wash									3	1					1
9.400	Boat sales or rental	3 T								3	1			1	1	1
9.450	Boat repairs and maintenance	3 T									3			1	1	1

9.500	Marine fuel, water sanitation	3 T												1, 3	1, 3	1, 3
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3												3	3	
10.000	**STORAGE, PARKING, MOORAGE**															
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3			1
10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored:															
10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 U , 3 U	1 U , 3 U	1 N , 3 N	1 N	1
10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3			1 N , 3 N	1 N	1
10.230	Snow storage basin															
10.232	Neighborhood, less than ½ acre	3	3	3 Z	3 Z	3 Z	3 Z	3 Z	3 Z	3 Z	1			3 Z	1	1
10.235	Regional, ½ to 1 acre	3	3	3 Z						3 Z	3			3 Z	1	1
10.237	Area wide, over 1 acre	3	3 Z	3 Z							3 Z				3	3
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3			1 N , 3 N	1 N , 3 N	1
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	1 N	1
10.500	Moorage:															
10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3

	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3
10.600	Floating structures supporting seasonal, commercial recreation		3	3	3										3	3	
11.000	**MATERIALS SALVAGE YARDS, WASTE MANAGEMENT**																
11.100	Recycling operations:																
	11.110	Enclosed collection structures 0 of less than 80 square feet total and less than six feet in height	1 P	1 P	1 P	1 P	1 P	1 P	1 P	1 P	1	1	1 P	1 P	1	1	1
	11.120	Enclosed structures for recyclable materials collection	1 P, 3	1 P, 3	1 P, 3	1 P, 3	1 P, 3	1 P, 3	1 P, 3	1 P, 3	1 P, 3 P	1 P, 3 P	3	3	1	1	1 P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure														1 N	1
11.200	Reclamation landfill not associated with a specific use		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 N	3 N	1, 3
11.300	Sanitary landfill		3														3
12.000	**SERVICES AND ENTERPRISES RELATED TO ANIMALS**																
12.100	Veterinary clinic		3	3	3						3	1, 3	3	3	1 N, 3 N	1 N, 3 N	1
12.200	Kennel		3	3							3	3					1, 3
12.250	Day animal services, grooming, walking, day care		3	3	3	3	3				3	3	3	3			1, 3
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component		3	3							3	3		3	3 N		3

12.310	Wild animal rehabilitation facilities without a visitor component	3	3	3	3					3	3			3 N		3
12.400	Horseback riding stables, dog team yards	3	3							3	3					3
13.000	**EMERGENCY SERVICES**															
13.100	Fire, police, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3 N	3 N	1, 3
14.000	**AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING**															
14.100	Aquaculture	3	3	3						3	3	3	3	1	1	3
14.150	Weirs, channels, and other fisheries enhancement	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1
14.200	Commercial agricultural operations:															
14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3					1, 3
14.220	Including farm animals M	1, 3	3													1, 3
14.230	Stabling of farm animals M	3	3	3	3					3	3					1, 3
14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3
14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 AB							3	3					3
14.250	Personal use agriculture:															
14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1
14.300	Silviculture and timber harvesting J	3	3													3

14.400	Mining operations	2, 3 K	3	3										3 N	3 N	2
14.500	Sand and gravel operations l	3	3	3						3	3			3 N	3 N	3
14.800	Spring water bottling	3	3			3	3	3	3	3	3					1, 3
15.000	**MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES**															
15.100	Post office	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 N	3 N	1, 3
15.200	Airport	3														1, 3
15.400	Military reserve, National Guard centers	3	3	3						3	3			3 N	3 N	3
15.500	Heliports, helipads	3									3			3 N	3 N	3
15.600	Transit facilities:															
15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3
15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1
15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1
15.700	Public works facility	3	3	3	3					3	3					1, 3
16.000	**DRY CLEANER, LAUNDROMAT**															
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process								1, 3	1, 3	1, 3	1, 3	1, 3	1 N , 3 N	1 N , 3 N	1, 3

16.200	Full service onsite laundry and/or dry cleaning									3	1, 3	3	3	3 N	1 N , 3 N	1, 3
17.000	**UTILITY FACILITIES**															
17.100	Minor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17.150	Intermediate	3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1
17.200	Major	3	3	3	3	3	3	3	3	3	3			3	3	3
17.300	Driveways and private roads															
18.000	**TOWERS AND RELATED STRUCTURES**															
18.100 AA	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 AA	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	1	1	1
18.300 AA	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height R	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities														
19.000	**OPEN AIR MARKETS, NURSERIES, GREENHOUSES**															
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1	1, 3	1, 3	1 N , 3 N	1 N , 3 N	1, 3
19.200	Nurseries, commercial greenhouses:															
	19.210 Retail sales	3	3	3	3	3	3	3	3	1, 3	1	1 V	1 V			1

	19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 V	1 V			1
	19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3
	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 AB							3	3					3
20.000	**CEMETERY, CREMATORIUM, MORTUARY**																
20.100	Cemetery		1, 3	3	3	3	3	3	3	3	3	3					
20.200	Crematorium		3														1, 3
20.300	Funeral home		3	3	3	3	3	3			1, 3	1	3	3			
21.000	**VISITOR-ORIENTED, RECREATIONAL FACILITIES**																
21.100	Resort, lodge		3	3													
21.200	Campgrounds		1, 3	3													
21.300	Visitor, cultural facilities related to features of the site		3	3							3	3	3	3	3 N		
22.000	**TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION**																
22.100	Temporary structures used in connection with construction		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

KEY:

1	Department approval requires the department of community development approval only
1, 3	Department approval required if minor development, conditional use permit required if major development
2	Allowable use permit requires planning commission approval
3	Conditional use permit requires planning commission approval
2, 3	Allowable use permit required if minor development, conditional use permit required if major development

NOTES:

A. A single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.

B. Reserved.

C. Reserved.

D. Reserved.

E. See special use regulations for mobile homes, chapter 49.65, article III.

F. See special use regulations for recreational vehicles, chapter 49.65, article IV. This use allowed by service area designation not zoning district.

G. All uses subject to additional performance standards, chapter 49.65, article VIII.

H. Reserved.

I. Reserved.

J. Applies to over 2 acres of harvest area.

K. See special use regulations, chapter 49.65, article I. Mining operations are a conditional use in the urban mining district and an allowable use in the rural mining district.

L. See special use regulations, chapter 49.65.200, article II.

M. Only applicable to the commercial or private stabling of more than three farm animals, or where the running or stabling area is closer than 100 feet to the nearest residence other than the owner for any number of farm animals.

N. Use must be water-dependent, water-related, or water-oriented.

O. Standards for collection structures: containers must be well maintained and allow no spillage of contents; a specific person or group must be responsible for maintenance of the structure and that person or group shall have a contact telephone number posted on the collection structure; collection structure must be situated so as to not affect traffic or parking; directional signs shall be limited to six square feet and identification signs shall be limited to 24 square feet; such signs will not be included in total sign area allowed for a complex; and the structure shall not exceed a height of six feet. Identification is to be in the following format: greater prominence, the City and Borough recycling logo and the recyclable material identification; lesser prominence, the sponsor name and the contact phone number.

P. Preexisting allowable or conditional use permit: If recycling activity is determined by the director to be an accessory use to a use previously permitted under either an allowable or a conditional use permit, the activity may be approved by the department. Other conditions may be required before recycling activity is permitted.

Q. Must be in conjunction with an approved state or municipal public road construction project, and must be discontinued at the completion of the project. Road construction by private parties for subdivision development is excluded except as provided in this title. Rock crushed on-site must be used on-site. Crushing shall be limited to 8:00 a.m.—5:00 p.m. unless the director authorizes otherwise.

R. Towers shall: be for amateur use only; meet the setback requirements of the zoning district; be unlit except as required by the Federal Aviation Administration. Towers shall be installed in conformance with a valid building permit, application for which shall include a copy of the applicant's amateur station license.

S. Limited to lots directly fronting on Glacier Highway West of Industrial Boulevard.

T. Must be associated with a unique site specific feature in order to function. Example: Glacier research station - Juneau Icefield location.

U. No storage permitted on the first floor of a building.

V. Primarily intended for rooftop locations in urban areas.

W. The capacity of a park shall be determined by the Director of the Community Development Department or designee in consultation with the Director of the Parks and Recreation Department.

X. Special requirements apply to accessory apartment applications. See CBJ § 49.25.510(k).

Z. Snow storage may be permitted for a maximum of five years. After five years a new application must be filed.

AA. Does not apply to wireless communication facilities.

AB. Use is prohibited in the urban service area but allowed outside the urban service area. An owner or manager must live on site.

AC. Use is prohibited within 1,000 feet of recognized neighborhood association established in accordance with CBJ chapter 11.35.