

2006 JOINT LAND USE STUDY (JLUS)
JOINT TECHNICAL COMMITTEE MEETING
MINUTES

July 12, 2010

A Technical Committee meeting was held in the Chizmar Conference Room, 1st Floor, Borough Administrative Center, 809 Pioneer Road, Fairbanks, Alaska. The meeting was called to order by Bernardo Hernandez at 3:00 p.m.

MEMBERS PRESENT:

Bernardo Hernandez, FNSB Community Planning Director
Paul Costello, FNSB Land Management Director
Kerry Barnes, FNSB Retained Land Officer
Kate Siftar, Chief, Master Planning Division - Fort Wainwright
William Rice, Community Planner - Eielson
Jeff Roach, State of Alaska DOT&PF
Diane Hutchison, Military Affairs Committee Vice-chair
Mike Schmetzer, Public Works Director and City Engineer - Fairbanks

OTHERS PRESENT:

Jeff Jacobson, FNSB Chief of Staff
Jim Lee, Community Planning Deputy Director
Marnie Long-Boehl, FNSB Community Planning JLUS Secretary

MEMBERS EXCUSED:

Bill Butler, City of North Pole, Director of City Services
David Sanches, Directorate of Public Works – Ft. Wainwright
Paul Martz, Fairbanks Economic Development Corporation

A. ROLL CALL

B. CITIZEN'S COMMENT

None

C. *MINUTES

MOTION: N/A

VOTE: N/A

D. APPROVAL OF AGENDA AND CONSENT AGENDA

MOTION: N/A

VOTE: N/A

E. UNFINISHED BUSINESS

F. NEW BUSINESS

- **Mr. Hernandez** announced that a Chairman and Vice-Chairman will be elected on the next meeting of July 19, 2010.
- **Jim Lee** commented on the recommendations and how it should be prioritized with a 6 month, 12 month, or 24 month period of time. He would like the JLUS Technical committee group to look at each item and see what their ideas are on accomplishing these recommendations and what is the priority needed to accomplish these recommendations.
- **Mr. Hernandez** stated that we should go over the recommendations one by one and discuss what the status is of the recommendation and what time frame it will take to get them accomplished starting with the Borough recommendations:

1. Establish review procedures.

To help ensure that the military is informed about any land use designation or action that might impact lands within the 65 DNL contours, the FNSB planning department would contact appropriate personnel to discuss and invite participation in actions pertaining to projects that may occur within the military's 65 DNL contour. The FNSB planning department would take the lead and work with the military leaders to identify the appropriate military contacts and establish review procedures.

- ✓ Need to get the maps that reflect the current mission before we know what lands are influenced by the 65 DNL noise contours.
- ✓ What are the review procedures – zoning for the uses and impacts that the development might have on the noise levels done by the Platting or Building Code process – this could be put on plats, building permits, or zoning permits.
- ✓ Communication and review procedures with the FNSB.
- ✓ Need the maps – Eielson said that their maps are current and are not going to be revised. Ft Wainwright needs to update their maps – last maps were done in 2001.
- ✓ With maps – this recommendation could be implemented.
- ✓ Need to establish the procedure for recommendations and communications with the Military – **6 months**.

2. Create a JLUS Natural Resources Working Group.

To continue the momentum created by this effort, the local jurisdictions, in collaboration with the Army and Air Force, would establish an FNSB Joint Land Use Natural Resources Working Group to address issues of recreational access and resource management. The group will focus on issues around training ranges, including civilian recreational access and natural resource management. The group will include a full range of stakeholder organizations that have an interest in hunting, fishing, recreation access, and habitat management on military training ranges. This Committee could also be expanded to include the Delta Junction community and military representative in that area. FNSB Planning Department is suggested as the organization to provide staff support, meeting space and other logistical support in a similar manner as for other FNSB-sponsored committees.

- ✓ They have a hunting working group with Fish & Game at Ft. Wainwright to address these issues.
- ✓ Jim Lee will contact Don Young at Fish & Game – he is involved with this.

- ✓ Biggest impact is on the hunters and air boaters for recreational boating and trapping.
 - ✓ Eielson has a Resource Management in Civil Engineering that handles these issues.
 - ✓ Some military lands were closed during hunting season for training – no notification was made to public – some people had their vacation time planned for hunting during that period. Need better communication – should notify in the spring about closure times in the fall.
 - ✓ Links could be made on the Borough website.
 - ✓ Need meetings for the work groups.
 - ✓ Identify the participants that will be working on this project – have a standard annual meeting to discuss issues for problem solving.
 - ✓ Make policies, discuss, and make a sub-committee for implementation as needed.
 - ✓ Ground work and coordination involved – **1 year**.
- 3. Continue meeting with community leaders for informal information sharing.**
Maintain regularly scheduled meetings in FNSB Mayor's office to informally and candidly share mutually beneficial community and military information. This would help to ensure ongoing sharing of information about changes on military operations, community impacts and community needs. These meetings could also be used as a forum for periodic review of the implementation of the overall JLUS recommendations.
- ✓ **Fully Implemented**
- 4. Strengthen construction codes.**
Only the City of North Pole and the City of Fairbanks have building codes. These codes would be reviewed and modified as needed to ensure proper standards are in place related to noise attenuation. This action would make sure that new language within codes related to AICUZ areas would be added to direct that construction within the AICUZ area has the recommended noise level reductions. It is assumed that the current weatherization measures in the code will meet many noise attenuation needs.
- ✓ City of Fairbanks – Steve Shuttleworth has not been notified about this recommendation as of yet.
 - ✓ Would help new construction.
 - ✓ Map of AICUZ area.
 - ✓ AICUZ on GIS System
 - ✓ Amendments can be made to the building codes.
 - ✓ Time to craft building code and approval process by City Council.
 - ✓ **24 months** – consideration for **36 months**.
- 5. Amend Title 17 to require note on plat for subdivisions within 65 DNL contours.**
Amend FNSB Title 17 to require platting board review of each preliminary subdivision layout to determine if a documented noise impact exists. If so, apply note to plat notifying potential owners of the proximity to 65 DNL contours and offer sound attenuation recommendations. This will ensure that new construction within the AICUZ area has the recommended noise level reductions on the plat and that owners will be given notice of potential noise impacts.
- ✓ Set up procedures.
 - ✓ Currently updating Title 17 - can be incorporated into the DRAFT of Title 17.

- ✓ Check with the legal department before incorporating into the DRAFT of Title 17.
- ✓ Zoning maps – informing the public of noise in a certain area – no regulations required. Amend Title 18, add to this recommendation.
- ✓ Should be on Platt Map as well as the Zoning Map for new construction.
- ✓ **One year.**

6. Publicize established legal requirements for full disclosure in real estate transactions.

Alaska Statutes (AS 34.70) requires full disclosure by the seller. This existing tool can and should be used to ensure all buyers of property around military bases understand the potential noise environment. This tool requires working with the local real estate community to ensure they understand and comply with this requirement.

- ✓ Would not affect the Military.
- ✓ Information for public that there is a State Law. (AS34.70)
- ✓ Real estate has to have full disclosure but independent sales of homes do not have to disclose this information.
- ✓ Who would publicize this information – City, State, or Borough?
- ✓ Letters to realtors – Borough could do this or may be the State should do this since it is a state law.
- ✓ Having this on maps could make this fully implemented.
- ✓ **24 months**

7. Incorporate military noise contours into FNSB Regional Comprehensive Plan and Development Codes.

Amend the FNSB Regional Comprehensive Plan and Zoning Code as necessary to ensure that local land use decisions are compatible with existing civilian and military aviation patterns. Expand the use of the current overlay zone to include areas within the 65 DNL contour identified by the military.

- ✓ Land Use Planning Maps for the Borough – Have it for the downtown area but need to expand this area to cover the entire borough.
- ✓ **4 - 5 years**

8. Increase military awareness of civilian land use issues around installations.

Invite military representatives to the FNSB planning and platting boards on an as-needed basis to serve as two-way communicators on land use issues. This will help to educate Planning Commission members on impacts of their land use decisions on the military installations so they can make more fully informed decisions.

- ✓ Add Military to the distribution of the Planning Commission and Platting Board meeting packets prior to the meetings – notification and invitation.
- ✓ **6 months**

9. Adopt encroachment prevention measures.

This would modify existing ordinance and regulations, such as Title 17 and Title 18 to prevent encroachment on military lands that could compromise missions; work with military planners to obtain assistance in monitoring for enforcement purposes. This too will help prevent development near military lands that could compromise missions, to support development of compatible land uses outside the installation fence lines, and to bring existing uses into compliance. In this context, "encroachment" is used to signify those uses of land closely surrounding Fort Wainwright or Eielson AFB that would impinge on the military's ability to safely carry out their mission.

- ✓ Time consuming to modify Title 17 and Title 18
- ✓ Approach zones are in the regulations.
- ✓ Could be included in the GIS System.
- ✓ Could be separated between height and use.
- ✓ Notify Military before cell towers are installed.
- ✓ FNSB will coordinate with military organizations staff to ensure the proper criteria used to defining the imaginary surfaces.
- ✓ Safety issue
- ✓ **4 – 5 years.**

10. Adopt zoning ordinances to limit the height of objects around military airports.

While the Federal Aviation Administration does not have the authority to restrict heights and obstructions, they do make recommendations and have a model (sample) ordinance (FAA Advisory Circular 150/5190-4) that communities can use to promote safety. The FNSB would adopt a similar ordinance that prevents the obstruction of imaginary surfaces around military airports as defined in 14 Code of Federal Regulations, Part 77, objects Affecting Navigable Airspace. This would help to prevent obstructions to airspace on land outside the military installations that could compromise aviation missions. Amend local and / or regional comprehensive plans and zoning codes as necessary. The FNSB would coordinate with the military installation staff to ensure proper criteria are used for defining the imaginary surfaces.

- ✓ **2 – 3 years.**

11. Enforce compatible use zoning.

Establish a land use policy against re-zoning land to any category that permits permanent residential development, when such land lies within the existing or future 65 DNL contour. This will prevent development of incompatible residential uses within air operations areas.

- ✓ **2 – 3 years**

12. Enforce mobile home and noise sensitive compatibility.

This tool would restrict mobile home development within the existing and future 65 DNL contour. This action would prevent development of incompatible residential uses within air operations area. It would require review and amendments to the Regional Comprehensive Plan and zoning codes as necessary.

- ✓ **2 – 3 years**

13. Maintain residential densities within existing and future noise sensitive areas.

Adopt policy forbidding an increase of residential density for existing residential areas within the existing and future 65 DNL contour. This will prevent increased development of incompatible residential uses within air operations areas. This tool requires amending the comprehensive plan and zoning codes as necessary.

✓ **2 – 3 year**

- **Mr. Hernandez** recognizes that a lot of these recommendations for the 2 – 3 years are a lot alike. One ordinance could take care of these. It would take time to craft the ordinance.
- **Mr. Jacobson** advised that if we don't act soon then there will be incompatible development and encroachment and then we have our military bases threaten. We should take action sooner with communication to the residences.
- **Ms. Hutchison** commented that they should be moved to the front burner and work started immediately.
- **Mr. Lee** wanted to continue with the Borough implementations and prioritize for the next meeting.
- **Ms. Hutchison** wanted clarification – she feels that we are looking at these recommendations as how long it will take instead of how long we will want it to take to implement. The recommendations that will take a long time should become priorities.
- **Mr. Hernandez** said that a lot of these will take a lot of hard work to make an ordinance with citizen participation.
- Number 5, 7, 9, 10, 11, 12, and 13 recommendations should be the 1st priority to get them started.
- Number 1 and 8 recommendations can be accomplished within a 6 month period to get off the list.
- Start all the rest – do a two tract system.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:55 p.m.