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Minutes of the Worksession
Denali Borough Planning Commission
Tri-Valley Community Center
September 16, 2014

Call to Order: The Presiding Officer called the Planning Commission Worksession to order at 6:16 PM.

Roll Call: Planning Commissioners present were Patricia GRIGGS, Steve JONES, Ryan JUSZAK, Molly MCKINLEY, Mark MENKE, Baxter MERCER, and Sid MICHAELS. Lee LIGHTFOOT and Kesslyn TENCH informed the clerk that they would be unable to attend this meeting.

1. Denali Borough Code – Title 4 Real Property

There was no discussion on this issue.

2. Draft 5 Chapter 9.15 Zoning – Proposed Amendment: Height Restrictions

Sid MICHAELS informed the commission that Draft 5, which stipulates the administrator and the commission will work to develop a joint decision in the issuance or denial of a building permit is inoperable as per code. The following enumerations from Chapters 2.10 and 5.20 were used to explain this incongruity:

- The commission is charged with all matters dealing with **building**, subdivision platting, and zoning regulations.
- The appeals process dictates that two distinct bodies review administrative and commission decisions.
- The administrator is the chair of the Board of Adjustments, the body that reviews commission decisions, which presents a clear conflict.

Accordingly, the commission is the body that decides whether a building permit is issued. Proposed Draft 6 attempts to amend the new height restriction provisions regarding the procedure for obtaining a building permit to comply with code.

There was discussion on the wording of the title to Section 9.15.030. There was concern expressed that real property owners may be disenfranchised if the word “or” was to replace “and.” Residents, as registered voters, may not be property owners. How might this affect the owners and residents of leased land? The borough attorney addressed this very issue in March of 2005 or 2006 and stated that code should be modified to clarify the issue. The suggestion was made to drop this proposed change in the section title and have the ordinance concentrate on the height restriction requirements.

There is a proposed Draft 1.a. to replace the Draft Memorandum, to be sent to the assembly in explanation as to why the height restrictions are being forwarded. Draft 1.a. is a one page document that deletes the reiteration of much of the language contained in the proposed ordinance. Some slight language modifications were suggested.

It was recommended that the commission review the proposed changes to the ordinance and the memorandum and bring any modifications to next month’s meeting.

3. Draft 2 Management Plan – Panguingue B West

Both the public and commissioners have suggested that the borough could use some professional assistance in creating management plans. It could be easier and cheaper to use a third party. The assembly would need to agree to modify code to change management plans from a duty of the administrator to that of the commission. Another option could have the administrator hiring a

1 consultant while using the commission as a sounding board in which case the code would remain the
2 same. The commission continued to deliberate the role it should play in regards to land planning.
3

4 The clerk clarified with the commission that in February of 2014 it voted to substitute Draft 16
5 Chapter 4.25 Classification of Borough-owned Lands with Chapter 4.25 Real Property Management
6 Plan, which then became Draft 17 of 4.25. The clerk stated that in order to maintain the history of the
7 borough having used the classification chapter it would need to be repealed not replaced. It was
8 recommended that whether the commission wants to consider one or both topics, classification be
9 retained as 4.25 and management plan be assigned a new number such as 4.30. Some members aver
10 that classification of land and management plans are redundant. The point was repeated that using
11 terms similar to zoning for classification is confusing; a rebuttal was made that this is common
12 practice and zoning is enforceable while classification is not.
13

14 The commission was asked if they would like training on classification and/or management plans. The
15 commission appeared to think training would be helpful.
16

17 **4. Comp Plan Review – Chapters 4, 5, and 6**

18 The following corrections were recommended:
19

20 **Chapter 4**

- 21 • Page 10, under the subheading State Land, Tanana Basin Area Plan should be replaced with
22 Yukon Tanana Area Plan.
- 23 • (In the same paragraph, change Susitna Area Plan to Susitna and Matanuska Area Plan.)
- 24 • Page 10, under the subheading Borough Lands, revise the language referencing municipal
25 lands as the selection process is complete and will not be reopened.
- 26 • Page 10, under the subheading Current Land Use, note that the commission is working on
27 amending code to change the language referencing all land in the borough being zoned
28 unrestricted.

29 **Chapter 5**

- 30 • Page 13, the Kahiltna Glacier is described as a gravel surface; it should be changed to ice.
31 The length of the Kahiltna Glacier changes seasonally.
32

33 It was noted that the goals of each chapter should be reviewed and amended, deleted, or added to as
34 part of this process.
35

36 One goal that has oftentimes been discussed is the idea that the borough itself should record all plats.
37 The borough should know who owns land within its bounds.
38

39 **Adjournment:** The Presiding Officer adjourned the worksession @ 7:15 PM.
40
41
42

43
44 APPROVED: _____

45 *Sidney W. Michaels*
46 Sid MICHAELS, Presiding Officer

47
48 ATTEST: _____

49 *Linda L. Paganelli*
50 Linda PAGANELLI, Deputy Clerk
51

Date Approved: _____

October 21, 2014