

Presented by: The Manager
Presented:
Drafted by: B. Brown

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-XX

An Ordinance Amending Docks and Harbors Board Land Management 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 of Section. CBJC 85.02.060 General powers, is amended to read:

85.02.060 General powers.

(a) Subject to state laws and City and Borough ordinances, the City and Borough Docks and Harbors Board shall generally exercise all powers necessary and incidental to operation of all port and harbor facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board shall:

...

(5) Administer and dispose of City and Borough tideland, submerged land, and other land as provided by the assembly by resolution as subject to docks and harbors board administration, subject to the following limitations:

(A) No sale, purchase, or trade of land shall be made without prior review by the assembly lands committee and approval by the assembly by resolution.

(B) Unless otherwise designated in advance by the assembly by resolution, any lease of land shall be limited to marine-related uses, and those uses accessory to tenancy on the boat harbor or use of the port.

(C) All land transactions by the board in accordance with this section shall be consistent with the land management ~~plan developed~~ principles and guidelines provided for under CBJ [section 85.02.063](#).

(i) Land shall be leased as provided in title 53, provided that the provisions of [section 53.20.020](#) relating to a declaration of availability and identification in the land management plan shall not apply.

(ii) For purposes of applying title 53 pursuant to this subsection (C), any action required by title 53 of the manager may be performed by the port director.

...

Section 3. Amendment of Section. CBJC 85.02.063 Land management plan, is amended to read:

85.02.063 Land management plan.

(a) ~~After public hearing and deliberation, In considering management of land under the jurisdiction of the docks and harbors board, the docks and harbors board shall be guided and informed by draft and forward to the planning commission and assembly a the City and Borough land management plan. The plan shall address in making recommendations regarding the retention, use, disposal, and development of City and Borough land, under the jurisdiction of the docks and harbors board. After public hearing and deliberation, the planning commission~~

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2 ~~shall forward its recommendation to the assembly. Recommended changes to the land~~
3 ~~management plan shall be developed using the same procedure.~~

4 (b) ~~Development of the land management plan, or a change to the plan,~~ In making
5 recommendations about the retention, use, disposal, and development of land under jurisdiction
6 of the docks and harbors board, the board shall also be guided by the following principles:

- 7 (1) Multiple use should be encouraged;
8
9 (2) A sound local economy will be promoted;
10
11 (3) Adequate lands for public development and public use, including recreational beaches
12 with appropriate uplands, should be reserved;
13
14 (4) Tidelands should be leased only for specific water-dependent and water-related uses
15 and not sold;

16 (c) ~~In developing the land management plan to implement the policies outlined in this section,~~
17 In making recommendations about the retention, use, disposal, and development of land under
18 jurisdiction of the docks and harbors board, the board shall consider the following issues,
19 ~~without limitation, shall be considered:~~

- 20 (1) The supply of publicly owned lands to meet public needs;
21
22 (2) The supply of privately owned lands to meet the private-sector needs of the community;
23
24 (3) The comprehensive plan, the long-term capital improvements program, and other plans
25 adopted by the assembly;

(4) Restrictions created by written instruments, zoning, and state and federal regulations;

(5) Physical, economic, resource, population and social factors affecting the area under
consideration;

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- 2 (6) Comments of the general public, affected landowners, state and federal agencies and
- 3 local advisory groups;
- 4 (7) Ownership patterns and waterfront development plans of private landowners and state
- 5 and federal agencies;
- 6 (8) The development and growth patterns and potentials of different areas of the City and
- 7 Borough and waterfront services that may be needed as a result of that development and
- 8 growth;
- 9 (9) The requirements of public access to and along public and navigable bodies of water;
- 10 (10) The protection of other public values including recreational, scenic, wildlife, and
- 11 other environmental qualities; and
- 12 (11) Other matters which are relevant to a sound and beneficial land use management
- 13 plan policy.
- 14

15 ~~(d) The plan shall contain the following elements:~~

16 ~~(1) Proposed land acquisitions;~~

17 ~~(2) A listing of those lands to be retained for public use;~~

18 ~~(e) The plan shall be reviewed by the Docks and Harbors Board and the Planning Commission~~

19 ~~if a major unanticipated development affecting basic assumptions occurs, and in any case at~~

20 ~~least every five years.~~

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22 ~~(f) Any lease, disposal, or use of land shall conform to the Long Range Waterfront Plan, the~~

23 ~~land management plan adopted above, Juneau Coastal Management Plan, and all other~~

24 ~~adopted City and Borough land use plans.~~

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2 ~~(g) Upon receipt of a land management plan or a change recommended by the Docks and~~
3 ~~Harbors Board and Planning Commission, the assembly shall consider the plan, or change, and~~
4 ~~may adopt the plan or change only after it conducts a public hearing on the matter.~~
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6 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.
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8 Adopted this _____ day of _____, 2022.
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10 Attest:

Beth A. Weldon, Mayor

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12 _____
Elizabeth J. McEwen, Municipal Clerk
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