

# **GIRDWOOD LAND USE COMMITTEE OPERATING PRINCIPLES**

**Statement of Purpose** - To advise the Girdwood Board of Supervisors (GBOS) on land use issues based on research and community input. We encourage all those in Girdwood to take part in discussing land issues facing the community by attending the meetings. It is hoped that in this way, we will reach the goal of representing the community on routine and controversial land use issues in a broader way.

**Collaborative Process** - The Land Use Committee (LUC) aims to apply the principles of the Collaborative Process, which is becoming common across the country for successfully solving community concerns. The Collaborative Premise states, "If you bring the appropriate people together in constructive ways with good information, they will create authentic visions and strategies for addressing the shared concerns of the organization or community." Necessary conditions for successful collaboration include a group of participants who are broadly representative of the community, and a credible, open process that is not dominated by any one group or sector.

**Members** – A Qualified Member is any person eighteen (18) years of age or older who has been a resident and/or property owner, business owner or designated representative of a non-profit association who has resided in, owned property in, owned a business located in, or operated as a non-profit association for ninety (90) days or longer in Girdwood Valley. Girdwood Valley is the area defined as "the Girdwood Community Association/Land Use Committee boundary area depicted on Map 10 located in AMC Section 2.40.090".

Businesses and nonprofit entities not otherwise represented at the Girdwood Land Use Committee and who meet one of the following criteria may designate one (1) representative to be a voting member of the Girdwood Land Use Committee:

- a) The business is a corporation operating in Girdwood but without the representation of a director or corporate officer who otherwise meets the membership criteria.
- b) The business is a partnership with all partners residing outside the Girdwood area but operating in Girdwood.
- c) The business is a limited liability company with all member(s) residing outside the Girdwood area but operating in Girdwood.
- d) The business is a sole proprietorship with the proprietor residing outside the Girdwood area but the business operates in Girdwood.
- e) The nonprofit entity is a corporation duly qualified under a subsection of IRC 501 and registered in the State of Alaska with all officers, directors and members residing outside the Girdwood area but operating in Girdwood.
- f) The nonprofit entity is an association duly organized under Internal Revenue Code and registered in the State of Alaska with all officers, directors and members residing outside the Girdwood area but operating in Girdwood.

Businesses and nonprofit organizations that qualify as described above may designate one (1) representative for the calendar year. The written request must be made January 1 thru 31 of each year or when commencing operations in the Girdwood area. The written request must be delivered to the Land Use Committee Chair and duly recorded by the Land Use Secretary. Designated representatives have one (1) vote on any issue regardless of whether they qualify for Land Use Committee membership under other categories.

Anyone may inquire of any person who purports to meet the membership requirements in order to determine their eligibility to be a member of the Girdwood Land Use Committee.

**Officers** - Officers must meet the Membership requirement. Officers are comprised of three members in the positions of Chair and two Vice-Chairs. Duties include:  
Chair: set and post an agenda 7 days prior to meetings in coordination with GBOS Chair and/or Girdwood Valley Service Area (GVSA) Administrative Officer (hereafter "Secretary"), facilitate meetings, present a summary of the meeting at the next GBOS meeting; uphold these Operating Principles.

Vice-Chairs: Assist and/or fill in for Chair as necessary.

The Secretary will take minutes and publicly post them before the next GBOS meeting, set out and retain (for historical records) a sign-in sheet for each LUC meeting.

**Agenda and Minutes** – Agenda and minutes are to be posted at the Post Office, the Library, and the Girdwood Community Center bulletin boards. Agenda and minutes are also posted on line at [www.muni.org/gbos](http://www.muni.org/gbos). PSAs on KEUL and/or Girdwood/MOA website shall be utilized to disseminate information whenever possible.

**Election of Officers** - Each year at the January meeting, nominations will be taken from the floor and all three officers elected for the following year.

**Meetings** – Land Use Committee Meetings are scheduled for the 2<sup>nd</sup> Monday of each month at 7PM in the Girdwood Community Room. Meetings must be held at least every other month.

**Presentations** – Petitioners seeking variances, etc., municipal representatives or others who are seeking public input on a land use issue are requested to present their case at the LUC meeting. Presenters will address the LUC and GBOS boards and public from the front of the room at each meeting. Presenters should expect between 10-30 people in attendance.

Electronic copies of materials to be presented are requested to be provided to staff 1 week prior to the meetings at: [gbos@muni.org](mailto:gbos@muni.org).

Maps and drawings should be printed in a large enough format to be easily viewed by the entire room, or provided in electronic format to be displayed on screen.

Handout materials should be copied and provided at the back of the room for public (approx 20 copies) and for the LUC Officers (3), GBOS members (5), and staff (2).

Presentations should be clear and concise, not lasting longer than 15 minutes. After presentation, the board members will ask questions and will invite the public to ask questions and speak about the project.

**Initial Presentation** - Initial presentation is to be scheduled by the petitioner at the LUC and GBOS Regular monthly meetings.

LUC meetings are held the 2<sup>nd</sup> Monday of every month.

GBOS meetings are held the 3<sup>rd</sup> Monday of every month.

It is necessary for the petitioner to begin at the LUC, with the GBOS meeting the following week.

**How to schedule initial presentation** - Petitioner must schedule the initial presentation at least one week in advance of the LUC Regular Monthly meeting. Exceptions to be approved by the Land Use Committee Chair. Requests are to be made by email: [gbos@muni.org](mailto:gbos@muni.org) or by calling 343-8373. Name of the project, location, and name of the individual(s) who will present are needed. The item will appear on the agenda as New Business at each of these meetings, unless special meetings need to be called due to time sensitivity.

**Relationship Between the Girdwood Land Use Committee and Girdwood Board of Supervisors** - The Girdwood Board of Supervisors is designated as the Girdwood Community Council ex-officio by the Anchorage Municipal Assembly. Because of this, Girdwood is not recognized as a Community Council District in Municipal Code 2.40.040.D – Establishment of community council districts. With the adoption of 2.40.035.B on August 12, 2003, the Girdwood Community Association Rules and Bylaws were over-ruled and suspended.

Municipal Code 2.40.035.B Recognition of community councils; special ex officio community council recognition for Girdwood Board of Supervisors, states:

“Girdwood recognized; special provision. The municipality recognizes the Girdwood Board of Supervisors as the community council, ex-officio, which serves the Girdwood Community Association/Land Use Committee boundary area depicted on Map 10 located in section 2.40.090.”

The LUC is a one-person one-vote organization, whereas GBOS business is voted upon by only the 5 board members. In consort with the ideals of community councils being the voice of the people with one-person one-vote, the LUC is designated by the GBOS to be the public hearing process for the GBOS.

In the event that the voting in LUC and GBOS do not match each other, the rules under **Voting Conclusions**, below, will be followed.

**Discussion** - All viewpoints are valid and welcome. Discussion is to be held in a respectful manner. It is the aim of the LUC to have broad citizen participation, therefore discussions can not be monopolized by a few individuals. Comments should be limited to two minutes. The facilitator is generally the Committee Chairperson, however, another officer or individual may be designated in his/her place. If discussion becomes contentious or out of hand the facilitator will choose who speaks next by “going around the room” – or via a sign up sheet, giving every person present the opportunity to speak. Additionally, prior to voting on major issues, it is recommended the facilitator close the discussion by going around the room for final comments. The facilitator will work cooperatively with all present to decide when thorough discussion is complete and/or when it is time to move on. In November 2001, it was decided that the Federation of Community Councils’ sheet titled “Parliamentary Procedure, A Reference Guide to Moving the Meeting Along” would be used as a facilitating guide.

**Issues Needing A Vote** – Issues needing a vote (action items) require a minimum of two presentations at two different meetings at least a month apart. At the first meeting the issue will be introduced as new business with as much information as possible and requested. This provides the community with enough time to digest the information and come to the next meeting with an informed opinion prepared for a vote. The second meeting presentation will provide all information necessary to visualize and comprehend the entire nature and scope of the project and any other special requirements. An exception may be an issue of extreme importance of a timely nature beyond the control of the principals and/or representatives, in which case only one meeting is necessary and the rules for second presentation apply.

**Conclusion of Business and Guidelines for Process** – There are three conclusions that may be used for deciding the outcome of a petitioner’s presentation. Land Use can vote to recommend that the GBOS write a:

**Letter of Objection:** When the vote is not in favor

**Letter of Non-Objection:** When the vote is in favor, with no strong opinion or cause to write a:

**Resolution of Support:** Used when the issue is of great concern and importance to the community.

A Letter of Non-Objection (LONO) or Resolution of Support should be provided to the GVSA Administrative Officer by the petitioner. This will be re-drafted to reflect the ideas and outcome of the discussions and final vote. These final actions will be passed to the GBOS along with comments from the LUC and the final vote count.

**Voting** - Every eligible member (described under “Members” above) is qualified to vote (“one person, one vote”). There shall be a sign-in sheet displayed at each meeting (and maintained by the LUC Secretary/GVSA Administrative Officer). Votes are taken by a show of hands. Absentee voting by proxy is not allowed, but absent members are encouraged to submit written comments which will be read at the LUC and passed on to the GBOS. Discussion of major land use issues may require more than one meeting and every attempt must be made to ensure that the broad community has had ample opportunity to review and comment on issues before a vote is taken. The exact number of yeas and nays will be presented at the GBOS meeting.

**Voting Conclusions** - The community’s stated objective is to provide unified statements and recommendations from the Girdwood community. (Conditional Use Permit has its own resolution process.) However, three possibilities exist regarding agreement between the Girdwood Board of Supervisors and the Land Use Committee:

- A. **Consensus:**  
The Girdwood Board of Supervisors votes in accordance with the Land Use Committee recommendations. In this case, all recommendations of the Girdwood Board of Supervisors shall include the official actions of the Land Use Committee without changes. The Girdwood Board of Supervisors may include additional supporting information and comments when sending forth the actions of both groups.
  
- B. **Not in agreement; no time restriction:**  
The Girdwood Board of Supervisors does not vote in accordance with the Land Use Committee recommendations and the requirement to report forth on the issue is not time restricted. In this case, the Girdwood Board of Supervisors will provide a written explanation of the dissenting GBOS action to the Land Use Committee, and will provide any and all additional and/or new information pertinent to the issue being considered. Either the Land Use Committee or the GBOS chair may ask the other group to reconsider their action in view of the additional and/or new information. An issue can be sent back to either group one (1) time for reconsideration, and the issue in question must appear on the following month’s agendas.
  
- C. **Not in agreement; time sensitive:**  
The Girdwood Board of Supervisors does not vote in accordance with the Land Use Committee recommendations and the requirement to report forth on the issue is time restricted. In this case, the Girdwood Board of Supervisors will provide a written explanation of the dissenting GBOS action to the Land Use Committee, and in sending the recommendations forward, will include the official actions of the Land Use Committee without changes, along with the official actions of the Girdwood Board of Supervisors and any relevant GBOS/LUC comments

The Girdwood Board of Supervisors may also request an extension for advisory comments to be made, in which case the issue of dissent may be referred back to the Land Use Committee as described in “B” above.

**Education** - It is the goal of the LUC that members become well educated on regulations, agencies, and other topics of importance to understanding land use issues. Community members are encouraged to give brief educational presentations to the LUC in their area of expertise.

**Coordinating with the GBOS** - The GBOS Supervisor assigned to Land Use as an area of responsibility is encouraged to attend LUC meetings to assist coordination and communication between the two groups.

**Guiding Principles and Continuous Review and Refinement of this Document** - The Girdwood LUC is a voluntary citizen's committee. These principles are meant to guide the process, but may also require flexibility. Success depends on broad participation from the community and the continual review and refinement of these principles.

Adopted by the Land Use Committee - 10/12/98  
Approved by the GBOS - 10/19/98  
Minor revisions - 4/12/99, 2/25/02, 12/07/03  
Adopted by Land Use Committee 1/05  
Attendance and other Revisions – 8/14, 10/16  
Adopted by Land Use Committee, 12/19/16  
Revision to chair and vice chairs – 3/18

J. Pascale - 4/12/99  
J. Jonas – 2/25/02, 12/07/03  
L. Leonard 12/19/16

## **Appendix A Conditional Use Process**

**Timeline and Number of Presentations** – Timeline follows the general LUC Presentation Process.

### **What to bring to the initial LUC and GBOS presentations:**

- Preliminary Site Plan
- Floor Plan
- Elevations all around
- Zoning status of that site and lands abutting the site
- Statement of projected positive impacts
- Statement of possible negative impacts
- Road development plans
- Statement of any expected requests for variances from zoning regulations

**Second Presentation** - The Second Presentation will be scheduled once the petitioner's Planning and Zoning (P&Z) Department packet is received by Girdwood Municipal Staff. Presentation must occur prior to the petitioner's P&Z hearing.

**How to schedule second presentation** - When petitioner's P&Z packet is received by Girdwood Municipal Staff, the petitioner will be notified and the 2<sup>nd</sup> presentation will be scheduled at the next LUC and GBOS meetings, unless special meetings need to be called due to time sensitivity. The item will appear on the agenda as Old Business at each of these meetings.

### **What to bring to the Second LUC and GBOS Presentations:**

- 35%-65% design plan with drawings, engineering, grading and drainage, watershed report, parking
- Updated versions of all items from the initial presentation
- Specific request for and draft language of Letter of Non-Objection/Resolution of Support

With this information, the public will be able to consider and comment on the project in time for the P&Z hearing.

At the LUC meeting, the petitioner will present their project and make known their request for a LUC recommendation that GBOS to write a Letter of Non-Objection (LONO)/Resolution of Support to P&Z.

The LUC and public will ask questions of the petitioner. LUC will take note of the public's comments regarding the project and will call for a vote of the public in attendance at this meeting regarding the LONO/Resolution of Support. This information and vote tally will be forwarded on to the GBOS.

At the GBOS meeting the following week, the petitioner will present their project, addressing the comments heard at the LUC meeting, and will make a formal request for a LONO/Resolution of Support to be written to P&Z. GBOS and public in attendance will ask questions of the petitioner. After hearing the presentation and public comment, and considering the input provided from LUC, the GBOS will vote on the request for a LONO/Resolution of Support.

**Conflict Resolution of Conditional Use Permit Items** - In the event that the votes in LUC and GBOS are not in agreement, LUC and GBOS will schedule a separate public meeting with the petitioner to discuss the project. Whether the LUC and GBOS come to agreement or not, the positions of both LUC and GBOS will be forwarded to MOA Community Planning Department within three (3) working days. A copy of the correspondence forwarding the GBOS/LUC votes shall be given to all GBOS/LUC board members for review and comment before being sent to the MOA.

Note: Any changes to the Timeline and Number of Presentations for Conditional Use Permit Presentations in the LUC Operating Principles must be coordinated with the same document in the GBOS Rules and Procedures, and vice-versa.