



# MUNICIPALITY OF ANCHORAGE

## REAL ESTATE DEPARTMENT



# HERITAGE LAND BANK

## 2024 ANNUAL WORK PROGRAM & 2025-2029 FIVE-YEAR MANAGEMENT PLAN

### PUBLIC REVIEW DRAFT (12/8/2023)

*(\* indicates an item or statistic that will be audited/updated prior to Assembly approval)*

# Municipality of Anchorage

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Front Cover Photo: View of the potential Potter Marsh Watershed Park, which would include 100 acres of HLB land (Parcels 2-127 through 2-136), and 200 acres donated by Great Land Trust. Photo by Carl Johnson.



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## Guide to Abbreviations and Acronyms

ACDA – Anchorage Community Development Authority  
 ADEC – Alaska Department of Environmental Conservation  
 AMC – Anchorage Municipal Code  
 ASD – Anchorage School District  
 AWWU – Anchorage Water & Wastewater Utility  
 BLM – U.S. Bureau of Land Management  
 CEA – Chugach Electric Association  
 CSP – Chugach State Park  
 DNR – Alaska Department of Natural Resources  
 DOD – U.S. Department of Defense  
 DOT&PF – Alaska Department of Transportation & Public Facilities  
 GAP – Girdwood Area Plan  
 GDIC – Geographic Data and Information Center  
 GIS – Geographic Information Systems  
 GLT – Great Land Trust  
 HDP – Hillside District Plan (AO 2010-22)  
 HLB – Heritage Land Bank  
 HLBAC – Heritage Land Bank Advisory Commission  
 INHT – Iditarod National Historic Trail  
 MOA – Municipality of Anchorage  
 NALA – North Anchorage Land Agreement  
 OECD – Office of Economic & Community Development  
 P&R – Parks and Recreation Department  
 PM&E – Project Management & Engineering  
 PVLUA – Potter Valley Land Use Analysis (AO 99-144)  
 RED – Real Estate Department  
 RES – Real Estate Services  
 ROW – Right of Way  
 SOA – State of Alaska  
 TSAIA – Ted Stevens Anchorage International Airport  
 USACE – U.S. Army Corps of Engineers  
 USFS – U.S. Forest Service

## Chapter 1. Heritage Land Bank Overview

Heritage Land Bank (HLB) is a self-supporting, non-tax-based agency of the Municipality of Anchorage (MOA), with its own fund and advisory commission. Title 25 of the Anchorage Municipal Code (AMC), “Public Lands,” contains the statutes under which the HLB operates (AMC § 25.40).

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*It is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit present and future residents of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan (AMC § 25.40.010).*

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HLB achieves its mission by managing an inventory of HLB land and resources to benefit a wide variety of municipal objectives. The HLB manages many types of land in its inventory, over 12,000 acres, which are divided into approximately 250 parcels zoned residential, industrial, commercial, recreational, public use and open space. About half of the HLB inventory is forested lands in the Girdwood Valley, with a small percentage of HLB inventory developed or improved.

All proceeds from HLB land sales, leases, and other sources are deposited into the HLB Fund. With approval from the Mayor and Assembly, the Fund is used to: manage and/or improve HLB property; conduct land use planning and feasibility studies; carry out wetland mitigation monitoring; acquire property for municipal use; and support the annual operating expenses of HLB. Since its inception in 1983, the HLB has operated without any direct taxpayer support but has contributed millions of dollars in support to the general municipal government in ways that benefit our growing community.

More than 60 HLB parcels are subject to leases or permits held by government agencies or the private sector, with some used or managed by municipal agencies under special permit or management authorizations. See Appendix D for a complete list.

Municipal properties deemed surplus to current and future needs are generally disposed of through a competitive process, in accordance with AMC. In order to carry out the HLB mission, some parcels may be sold directly to other municipal agencies for continued use by the MOA.

With Assembly approval, the mayor may also designate any municipal land or interest in land for placement in the HLB inventory. However, land placed in the HLB inventory is generally:

1. Land reserved for unspecified purposes, or needed for specific or future public purposes;
2. Land determined excess to municipal needs but unsuitable for disposal and development;  
or
3. Other land determined excess to present or future municipal needs that may be suitable for disposal or development in the future.



## A Brief History of the Heritage Land Bank

In 1972, the Greater Anchorage Borough established a Land Trust Fund. Amended in 1976, the trust fund was created to acquire and manage property for the Municipality. The Land Trust Fund Council maintained oversight over the fund and its properties.

The Municipal Entitlement Act of 1978 granted Anchorage a total land entitlement of 44,893 acres from the State of Alaska (SOA). The Heritage Land Bank was formed to acquire and manage land that was transferred to the Municipality from the State as a result of the Municipal Entitlement Act for the benefit of present and future residents of Anchorage.

The ordinance that created HLB also established the HLB Advisory Commission (HLBAC), which consists of seven members appointed by the Mayor, to advise the Mayor and Assembly regarding the management of land and funds in the HLB portfolio. The commission solicits public comments when it holds public hearings in order to make informed recommendations. Staff handles the ongoing land management responsibilities of the HLB.

### *Inventory Mapping*

In 1984, HLB completed its first land inventory. The HLB inventory is updated and is online for public and municipal access at [www.muni.org/hlb](http://www.muni.org/hlb). The inventory identifies all lands by HLB parcel number, municipal tax identification number, zoning classification, and acreage. See Appendix A for regional maps and a QR code to our interactive mapping application.

### *State Entitlements*

The continuing conveyance of title to the Municipality's outstanding land entitlements is a priority. While the State has conveyed substantial acreage, and some monetary compensation to the MOA in fulfillment of the municipal entitlement mandate, other parcels await conveyance.

### *Accomplishments*

Following are several significant land uses and facilities in the Municipality of Anchorage developed over the years through contributions from the HLB inventory or fund:

- Cuddy Family Midtown Park Acquisition
- Botanical Gardens lease on HLB lands
- Girdwood Library site, trails partnerships, and Industrial Park development
- Sale of three downtown lots for mixed-use development by Cook Inlet Housing Authority
- Long-term ground lease for Chugiak Fire Station #35
- Disposal of Girdwood Industrial Park Phase I Lots.

## The Heritage Land Bank Fund

Upon formation of the HLB, the MOA Land Management Fund was renamed the HLB Fund. According to AMC § 25.40.035, the HLB Fund can be used for three main purposes: supporting the annual HLB operating budget; acquiring land for municipal use; and managing and improving HLB land. HLB's objective has been to responsibly manage the Fund in order to achieve our mission, with additional focus on increasing our asset value and fund strength.

## Land Management Objectives

HLB manages land to maximize benefits to the Municipality and the public, seeking to preserve and enhance the value of its land assets. Management activities and decisions take into consideration the regulatory environment and adopted comprehensive plans, special site and area land use studies, environmental plans and studies, and intra-governmental agreements.

*Our management objectives include:*

- Ensuring that all HLB lands and real property interests are reasonably protected from adverse impacts, including fire, insect damage, plant disease, invasive species, illegal dumping, hazardous or contaminated materials, timber theft, vandalism, and other threats.
- Assisting with implementation of municipal plans where HLB inventory is involved in accordance with HLB policy and fund guidelines.
- Transfer of HLB properties to other departments as appropriate and the disposal of properties excess to municipal need.
- Holding land use contracts to prevailing market rates except where otherwise provided by AMC § 25.40.
- Providing opportunities for partnership in the creation of conservation easements, through permittee-responsible mitigation to protect area wetlands, promote orderly development consistent with the goals of the Comprehensive Plan & the Anchorage Wetlands Plan, and generate revenue through the preservation of high-value HLB wetlands, while working to establish a wetlands mitigation bank.
- Continuing to enforce trespass violations, by posting signs and considering the installation of fences in areas of known campsites, removal of illegal structures and vehicles, and mitigation or prevention of impacts of unpermitted use on HLB land.
- Ensuring that open space, conservation and preservation opportunities are considered in HLB development projects where those opportunities are in the best interest of the citizens of the Municipality of Anchorage.

Table 1.1: HLB Inventory by Area \*

Acreage (Estimate)	Anchorage Bowl	Chugiak/ Eagle River	Turnagain Arm	HLB Total Acreage:
HLB Wetlands (A & B)	1,076	44	560	1,679
HLB Uplands	1,769	1,136	8,145	11,051
Estimated Total HLB Acreage:	2,881	1,182	8,715	12,779

Table 1.2: Development Limitations \*

Limiting Factor	Quantity
Wetlands - Class A&B	1,679 acres
Easements	490 acres
4 Avalanche Zone - Very High Hazard	431 acres
Special Flood Hazard Area	1,083 acres
Patent restrictions prohibiting disposal	846 acres
Leases and Permits	1,653 acres
Managed by State Parks	2,240 acres
ADEC Contaminated Sites	11
Parcels under other MOA Agency Management	40

### Overview of Land Disposals

Disposals of HLB inventory can include sales, exchanges, leases, easements, intra-governmental agreements to both the public or private sector, and transfers of parcels to other municipal agencies. The HLB consults with other municipal agencies to determine whether HLB land is needed to fulfill various municipal purposes and the impact of disposal.

### Overview of Land Acquisition

#### *Acquiring Municipal Entitlement Lands*

Under AS § 29.65.010, the Municipal Entitlements Act and the subsequent *Agreement for the Conveyance of Lands of the State of Alaska to the Municipality of Anchorage, and Settlement of Land-Related Issues with the State of Alaska*, signed November 25, 1986, the Municipality was entitled to conveyance of 44,893 acres of land within the boundaries of the Municipality.

The MOA will continue to work closely with the Alaska Department of Natural Resources (DNR) to resolve any remaining land entitlement issues. The State has issued decision documents for several parcels but not patents. The State notified HLB that for management purposes the decision documents issued for conveyance of lands is equivalent to patent and considered equitable title.



## *North Anchorage Land Agreement*

The MOA was granted rights to receive substantial acreage under the *1982 North Anchorage Land Agreement* (NALA), a federally approved agreement resolving several longstanding land ownership disputes between Eklutna, Inc., the State, and MOA. NALA provides for the future allocation of existing military land in Anchorage, in the event it is declared excess to the Department of Defense (DOD). To date, the MOA has received title to just under 300 acres of NALA land under its public interest land entitlement; no lands have been declared as excess by the DOD to date.

### Annual Work Program

The HLB Work Program is an annually approved guide for allocating and managing HLB land and resources. The program functions and activities must be consistent with Municipal Code, HLB policies, and pertinent comprehensive or area plans.

Parcels in the HLB inventory can be disposed of through trade, sale, or lease. HLB land disposals are based upon a minimum of fair market value of the land, except as otherwise provided in AMC § 25.40. HLB may exchange excess municipal land in the HLB inventory for other non-municipal land which has greater potential value or attributes for municipal use.

Per AMC § 25.40.020B, major HLB work items anticipated during each calendar year will be reviewed in advance by the public and be approved after public hearings before the HLBAC and the Assembly. The code states that public notice for the HLBAC public hearing on the annual work program is provided no less than forty-five (45) days prior to the hearing. The public will have the opportunity to comment on each item when a public hearing is scheduled.

All other HLB public hearings require that the public notice precede the hearing by no less than fourteen (14) days. HLB notification procedures shall include direct email notification to affected community councils, residents and list of email subscribers, as well as posting notice online, at least fourteen (14) days prior to public hearings. AMC requires that the HLBAC provide public notice and hold a public hearing prior to taking action on land disposals (sales, leases, exchanges, easements) and withdrawals from the HLB inventory. Any additions to the proposed list of disposals through sale, exchange, or lease require an amendment to the Work Program approved by the HLBAC and Assembly. The Program may be amended as needed.

### Five-Year Management Plan

Predicting future municipal need and market demand is difficult. The success of land transactions often depends upon economic conditions, financing, and creative marketing strategies. Consequently, the Five-Year Management Plan is best viewed as a queue of items that may be acted upon in the next five years based on community input, various municipal goals and needs, and changing market demands. The Administration expects that the HLB be prepared to seek out and respond to unforeseen opportunities as they arise that promote the goals of the

comprehensive plans. Long range forecasting can be difficult, therefore the assumptions, objectives and projections that follow in this document are an attempt at planning our future given current information.

Land management decisions will be consistent with the AMC, all adopted comprehensive plans and area plans, and implementation measures. If it is unclear whether a proposed management or disposal action is consistent with adopted plans, HLB shall complete a site-specific land use study prior to a final management or disposal decision. Public comments on consistency with adopted plans will be given due consideration.



*Northern Hawk Owl on HLB Parcel 5-001. Photo taken by Nicole Jones-Vogel.*

## Chapter 2. 2023 Progress Report

The HLB completed several projects in 2023 including the disposal of the first phase of the Girdwood Industrial Park lots, disposal of the parcel where the USFS Glacier Ranger District Facilities are located, additional Laurel Acres acquisitions, and an 8.5-acre donation of Mountain Air Drive in Bear Valley. HLB Staff also completed a land use analysis report for the Anchorage Assembly to help guide development decisions in Girdwood.

### Disposals, Exchanges & Transfers

*HLB Parcel 6-057B, C, E* – The sale of the three remaining parcels in Phase I Girdwood Industrial Park were executed in November (AO 2022-23(S); HLBAC Res 2021-12).

*HLB Parcel 6-011, 6-016, 6-017* – The Assembly postponed the proposed Holtan Hills disposal indefinitely at the regular Assembly meeting on February 7, 2023 (AO 2022-103(S-2); HLBAC Res. 2022-09(S)). The preliminary Holtan Hills Tract 1 - 5 Plat was approved by the Platting Board on November 2, 2022, and adopted on January 4, 2023 (Resolution No. 2022-007).

*HLB Parcels 6-048 (ptn), 6-049, 6-050* – A 5-year extension of the Alascom Inc. dba AT&T Alaska ground lease providing telecommunication facilities (HLBAC Res. 2023-05).

*HLB 6-043* – Sale to USFS closed September 2023 (AO 2022-16; HLBAC Res. 2021-11).

### Acquisitions

*Laurel Acres* - In 2023 there were efforts to acquire parcels in Laurel Acres, which received HLBAC approval finalizing land transactions are expected in 2024. A total of eight parcels were acquired through purchases and donations and became part of the HLB inventory as 5-041 (AO 2023-049; AO 2023-86).

*Mountain Air Estates #2 Subdivision Tract B-1B* - This approximate 8.5 acre parcel was donated to HLB, with a deed restriction stating “that the property be used as a green space for conservation or recreational use” at the end of August and the tract became HLB Parcel 2-159. The parcel is mostly wetlands and not suitable for development. It is surrounded on all sides by other municipally owned parcels, including HLB parcel 2-126 to the east.

### Land Management

#### *Contaminated Sites*

Certain HLB parcels have been found to contain contamination in several different forms. In the past few years, several sites have been in various stages of remediation, including but not limited to the following:

*HLB Parcels 3-078E* – HLB continued to conduct environmental testing and monitoring as required by ADEC.

### *Wetland Mitigation*

As the municipal agency solely responsible for management of conservation easements, the HLB has ongoing monitoring and management requirements as outlined in the conservation easement and long-term management plans. The HLB must oversee funds generated from the sale of mitigation credits or acceptance of properties, subject to a conservation easement, to allow for care in perpetuity. This year, HLB accepted conservation easements on the following properties held in Real Estate Services inventory:

*HLB CE Parcel 4-048* – Located between Old and New Seward Highways on 56<sup>th</sup> Street, north of the MOA Solid Waste Services Central Transfer Site. This conservation easement was vacated with mitigation for this portion of the Solid Waste Services Central Transfer Site (CTS) project is now provided within a portion of HLB Parcel 3-037 (Reflection Lake Creek).

*HLB CE Parcel 3-079* – Eighteen residential lots (formerly Worst Subdivision, Plat 70-374) off Lore Road. Vacation of the ROW through the subdivision occurred in order for this conservation easement to be accepted as mitigation for the CTS permit. The CE was modified and recorded in 2023. This is now known as Best Bog, Plat 2022-58; CE Recording Document 2023-021392-0.

Table 2.1: Conservation Easements Managed by HLB \*

HLB Parcel	Conservation Easement Established	Acreage
5-024; Blueberry Lake	2005	7.5 acres
3-049; Campbell Tract	2007	15.5 acres
Portions of 3-075; 3-076; 3-077; 3-065; Tudor Municipal Campus	2009	40.0 acres
3-035; Chester Creek Headwaters	2009	9.75 acres
3-029; Campbell Tract	2009	27.5 acres
3-064; Dowling Substation	2010	24 acres
6-251; Arlberg Extension	2015	5.5 acres
CE 5-041; 100 <sup>th</sup> Avenue Extension	2016	23.9 acres
CE 3-079; Worst/Best Bog Subdivision	2019/2023	4.0 acres
CE 3-037 Reflection Lake Creek	2020-2021	2.3 acres
		Total: 160.0 acres

### *Other Projects*

*HLB Parcels 6-057F (Girdwood Industrial Park Subdivision)* – Phase II & III evaluation of improvements have been ongoing, and staff have been working on a feasibility study for the remaining phases of the Industrial Park. Several permits were issued in Phase II and III.

*Geographic Information* – HLB and the Geographic Data & Information Center (GDIC) continue to maintain an accurate mapping application for HLB parcels. Field application development, project website (Hub) development and spatial analysis of HLB lands and projects is ongoing.

*AR2023-40 – An Inventory of Potentially Developable HLB Parcels* in Girdwood report was drafted and delivered to the Assembly Enterprise and Utilities Oversight Committee and the HLBAC.

*Girdwood Trails Plan* – On May 25, 2023, HLBAC unanimously passed a Letter of Acknowledgement of the draft Girdwood Trails Plan understanding that there are several proposed trails that would be located on HLB parcels that may come before the Commission for action at a later date.

Table 2.2: 2023 HLBAC Resolutions

Resolution	Subject	Date	Action
2023-01	The acquisition of real properties, legally described Lot 41 Block 10 (Parcel ID 012-493-42-000), and Lot 42 Block 10 (Parcel ID 012-493-43-000) of the Laurel Acres subdivision (Plat 71-44).	2/23/2023	Approved
2023-02	The 2023 HLB Annual Work Program and 2023-2028 Five-Year Management Plan.	6/22/2023	Approved
2023-03	The appointment of Tiffany Briggs as Heritage Land Bank and Real Estate Department Executive Director.	7/27/2023	Approved
2023-04, As Amended	The disposal of a portion of HLB Parcel 4-010 (PID 001-053-05-000), legally described as Block 84 Lot 9A of the Original Townsite (Plat 1967-30) by perpetual, non-exclusive telecommunication and electrical easement to Chugach Electric Association, Inc., and amend the 2023 HLB Annual Work Program.	11/16/2023	Approved
2023-05, As Amended	The disposal by lease, exercising the second five-year option, to Alascom, Inc. dba AT&T Alaska for HLB parcels 6-050, 6-049, and a portion within 6-048, legally described as Lots 12, 13, and 14, Block 2, USS 1177, Original Townsite of Girdwood, and amend the 2023 HLB Annual Work Program.	11/16/2023	Approved

## Chapter 3. 2024 Work Program

Numerous initiatives within the Municipality are set to impact the Heritage Land Bank in the upcoming year. The Real Estate Department has been assigned the responsibility of supporting various development projects associated with these efforts. Additionally, the Heritage Land Bank has several ongoing multi-year projects. It is anticipated that the Heritage Land Bank Advisory Committee (HLBAC) will address action items in nearly every regularly scheduled meeting.

### 2024 Potential Disposals, Exchanges & Transfers

*HLB Parcel 2-125* – Rabbit Creek Community Council is evaluating a connector trail from the elementary school to Bear Valley through HLB Parcel 2-125. An agreement or other proposal is anticipated for trail location, development, and management.

*HLB Parcel 2-127 - 2-136* – Potential transfer of management authority to Parks and Recreation Department (P&R) as part of the Potter Valley Watershed Park Project. This proposed project was presented to HLBAC at the November 2023 meeting, and it is anticipated the transfer of these 10 parcels (approximately 100 acres) will be before the Commission for action in 2024. This project is in collaboration with local non-profit Great Land Trust (GLT), who would be donating the adjacent 200 acres to P&R for the creation of the new Potter Marsh Watershed Park totaling approximately 300 acres. This project will implement elements of the adopted Potter Valley Land Use Analysis (PVLUA) and Hillside District Plan (HDP), which indicate that these areas are best suited for open space.

*HLB Parcel 2-156* – Disposal to a non-profit for the purpose of developing a natural burial cemetery.

*HLB Parcel 3-027A* – Complete transaction and dispose of property to Chugach Electric Association.

*HLB Parcel 3-042* – Potential disposal by ground lease to CEA for the purpose of a substation. Trail easement for a Northeast Connector Trail to be completed for Parks & Recreation. Intergovernmental Permit for old Army access road used as a utility access road.

*HLB Parcel 3-074* – Parcel to be used as a trade with the State of Alaska, Alaska Housing Finance Corporation (AHFC) for a portion of Block 102 of the Original Townsite Subdivision located in downtown.

*HLB Parcels 3-078A-D* – HLBAC and Assembly have approved disposal to Cyber and Beyond, LLC (formerly Contour RE, LLC) and the transaction is expected to be completed in 2024.

*HLB Parcels 3-078E* – Continue to evaluate environmental contamination and ways that the site can be redeveloped by a private developer.



*HLB Parcel 4-010, 4-011, 4-012* – Execute a use agreement with Anchorage Health Department for the continued use of the properties as a parking lot.

*HLB Parcel 4-013* – Execute a lease with the current lessee for the continued use as a parking lot.

*HLB Parcel 4-043D* – Review request from Joint Base Elmendorf-Richardson for a non-development easement.

*Portions of HLB Parcel 6-011* – Disposal of approximately 72 acres, (27 of which is for mixed-use development, the remainder for recreation and access) to facilitate the development of Glacier Creek Village through a purchase and development agreement with Alyeska Holdings, LP, and Seth Andersen for the development of a mixed-use project consistent with the Request for Proposals (RFP) completed in 2021.

*HLB Parcel 6-014* – Evaluate process for disposal, with direct sale, to owners of Alyeska Resort.

*HLB Parcel 6-057F* – Staff to evaluate options and present feasibility of the following options to the HLBAC for guidance:

1. Disposal of this property as-is; or
2. Disposal with platting of reconfigured lots (not requiring improvements or limited improvements); or
3. Disposal with platting of Phase II only and improvements completed by the MOA; or
4. Disposal with platting of Phases II and III with improvements completed by the MOA.

*HLB Parcels 6-074A, 6-074B* – HLBAC has recommended, and Assembly has approved (AO 2022-047), a disposal by non-exclusive lease. It is anticipated that this lease will be executed in 2024.

*HLB Parcel 6-076* – Girdwood Community Land Trust has submitted an application requesting a short-term land use permit for site development work and a long-term ground lease request. A Letter of Intent was executed to allow due diligence to move forward. More details on the development potential will be shared as it becomes available, and it will be presented to the HLBAC. Development of the site consistent with the Girdwood South Townsite is supported.

*HLB Parcel 6-011, 6-016, 6-017* – The improvements to the Iditarod National Historic Trail (INHT) began in 2020 led by Girdwood Parks & Recreation and the USFS. Until the Girdwood Trails Plan and Girdwood Area Plan are completed and the previous alignment reconfirmed or a new one prescribed, the remainder of the improvements to the INHT have been placed on hold. A new trail easement may be required to develop the INHT north of Alyeska Highway through the properties identified as Holtan Hills and up valley.

*Utility Easements Generally* – HLB may coordinate with utility providers within the MOA to provide easements that benefit residents or the MOA in general.

## 2024 Potential Acquisitions

*Municipal Entitlement Lands* – HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the SOA to the MOA.

*Laurel Acres Properties* – HLB will continue to accept donations and key purchases of parcels located within the Laurel Acres subdivision. The inclusion of these parcels in the HLB Inventory will be for future conservation easement and wetland preservation credits to facilitate development in other areas of the MOA.

## 2024 Potential Projects

*HLB Parcel 1-111* – Work with Eagle River-Chugiak Parks & Recreation to identify funding and complete disposal to them at fair market value or for the purposes of developing the parcel as a cemetery site, if approved through the planning process. A Preliminary Site Selection Study was completed in July of 2021. The conceptual site plans were circulated among the Chugiak-Eagle River Cemetery Committee and the Community Councils of: Chugiak, Birchwood, Eagle River, and Eagle River Valley. It was the general consensus of these groups that HLB Parcel 1-111 has the best development potential for a community cemetery based on the established selection criteria. HLB Staff will continue to work with the Chugiak-Eagle River Cemetery Committee, and Chugiak-Eagle River Parks & Recreation, and the Planning Department as they work towards next steps. It is anticipated that the project will be evaluated through a rezone and conditional use permit and not through a site selection study.

*HLB Parcel 3-080* – Staff will begin to evaluate this parcel for land use entitlements including replating and rezoning for future disposal.

*HLB Parcel 4-033B* – Clitheroe Building will be vacant as of mid-2024. Staff will determine Municipal need, state of the structure, and propose next steps when they have been identified.

*Portions of HLB Parcels 6-011, 6-016 and 6-017* – Continue to coordinate with the Anchorage Assembly for the disposal of portions of these parcels, known as Holtan Hills, by public-private partnership development agreement with CY Investments, LLC, including completing the platting action in support of mixed density residential development in Girdwood.

*HLB Parcel 6-018* – Continued collaboration with Girdwood Board of Supervisors and the Cemetery Committee will occur in 2024 as they formulate a cemetery design.

*Girdwood Trails Plan Implementation* – When located on HLB land, HLB's involvement in the establishment of new trails generally begins in the conceptual phase, as proposals require the support of the landowner, and continues beyond approval with permitting and disposal by easement(s). HLB is aware of several proposed trails in Girdwood that are located on or go through HLB properties. At the time of this work plan, the Girdwood Trails Plan was nearing the completion of public review with a recommendation from the Planning & Zoning Commission for approval by the Assembly.

*Heritage Land Bank Umbrella Mitigation Banking Instrument* – HLB staff still finds that developing a program that will allow the sale of compensatory mitigation credits for the preservation of wetlands and streams is in the best interest of the Municipality of Anchorage. This program will utilize strategies available through the USACE permitting process, establishing a mitigation banking agreement with the USACE to protect our waterways and watersheds. Stewardship fees paid by permittees will provide care in perpetuity for the conserved wetlands. In response to USACE and agency comments, HLB developed the MOA Wetlands Prioritization Project to be used as a tool for selection of highest value municipally owned wetlands for preservation in the HLB Mitigation Bank. Additions to the Bank will also be subject to public review and comment. Upon USACE approval of the Heritage Land Bank Umbrella Mitigation Bank, HLB plans to place conservation easements on those sites approved as Bank sites. Staff will continue to evaluate bank sites and use the MOA Wetlands Prioritization Project as a guide.

#### *Potential Heritage Land Bank Umbrella Mitigation Bank Sites*

*Girdwood Valley Parcels* – Create a site plan for a mitigation bank site in the Girdwood Valley.

*HLB Parcel 5-023* – Tract C Mike Bierne Subdivision is a parcel adjacent to Sand Lake in west Anchorage primarily made up of wetlands. The *West Anchorage District Plan (2012)* recommends the parcel be transferred to the Parks. This site will be considered for a wetland bank site prior to management authority transferring to Parks & Recreation. Any conservation easement placed on the property will be managed by HLB.

### 2024 Land Management

Ongoing HLB land management activities will include, but are not limited to:

*HLB Parcel 6-002* - One remaining party claims an interest in a mining claim on the parcel. HLB and DNR assert that the claim is invalid. The Municipal Attorney's Office will determine whether a court action is necessary to remove the trespasser and HLB will take actions to clear the land of the trespass and encumbrances. HLB will then work towards remediation of the property and obtain a patent.

*Bird Creek Homeowners' Exchange* – A group of homeowners have been working with the State and MOA to resolve long term trespass on municipal lands in Bird Creek Regional Park. This ongoing project will clear up property descriptions for the members of the Bird Creek community and add two additional parcels to the park.

*Fire Fuels Reduction* – HLB will work with the Anchorage Fire Department to address high priority HLB parcels at the wildland-urban interface.

*Conservation Easement Management* – HLB staff shall continue management and required annual site monitoring of conservation easements. HLB performs annual site inspections and monitoring of ten Conservation Easements (Table 2.1). HLB is responsible for approximately 160 acres of conservation wetlands that were preserved through permittee-mitigation with approval as part of the Corps regulatory process.

This management consists of annual site monitoring and reporting. Site monitoring for conservation easements is specific for each site and thresholds for wetland functions need to be assessed; these types of things include surface water mapping, plant identification and percent cover, water quality checks, the presence of fish and other wildlife, etc. Due to the remoteness and pristine state of the sites, considerable time is necessary to evaluate the wetland functions and overall health of the sites. While most of the sites are required to be visited once per year, it is often necessary to visit in the winter, as well. More area can be accessed on these sites in the winter frozen conditions.



*Arlberg Conservation Easement (HLB Parcel 6-251). Photo taken by Simon Wigren of HDR Inc. while conducting annual monitoring.*

### Trespass and Encroachment Issues

Illegal uses of vacant municipal land are increasingly recognized as an ongoing problem for HLB and other landholding agencies. Addressing illegal activities with remediation and taking enforcement measures where appropriate is an important part of managing HLB lands.

*HLB Parcel 1-008* – Ptarmigan Valley Trail Easement, approved but never executed (AO 96-01).

*HLB Parcel 1-084* – Lack of legal access to an adjacent parcel has caused a potential encroachment. There appear to be improvements on HLB land, as well. An easement through HLB parcel may be a solution for legal access to the adjacent parcel.

*HLB Parcel 4-001* – This lot is located along the slope of Christensen Drive, south of 2<sup>nd</sup> Avenue. HLB may grant an Intra-governmental permit to Street Maintenance for easements not finalized in a 1950-60's street project.

*HLB Parcels 4-033A-D and 4-034* – HLB may review an additional easement or other contract to allow the continued maintenance of the Tesoro Nikiski Pipeline.

*HLB Parcel 4-045* – A shed has been documented by survey to be encroaching on HLB land. Staff will attempt to resolve this long-standing issue with the adjacent property owner. Dumping of yard waste is also an issue on this parcel.

*HLB Parcels 4-046 & 4-047* – Camp abatements will continue periodically in accordance with code and availability of shelter. Active use of the site is recommended. HLB will coordinate with agencies, neighborhood groups, and the approved master plan for potential site activation suggestions as appropriate.

*HLB Parcel 6-002* - One remaining trespass issue related to an expired mining claim prevents MOA from accepting final patent following survey.

*HLB Parcel 6-010* – This parcel has become a playground for prohibited snowmachining. Staff placed signs at popular entrance points in 2023 and will continue to coordinate with Girdwood staff and Whittier Police Department to educate snowmachiners.

*HLB Parcels 6-010, 6-029, 6-248, 6-038, 6-040 and 6-036* – Multiple adjoining owners have created extensions of their yards onto HLB property (gardens, greenhouses, gathering areas, parking, tree clearing, etc.).

### Plans, Studies & Surveys

*Girdwood Area Plan Update* – In April 2021 the Anchorage Assembly formally authorized Imagine! Girdwood, a non-profit organization, to develop an update of the Girdwood Area Plan (GAP), an element of the Municipality of Anchorage's Comprehensive Plan. HLB is a large land holder in the Girdwood valley and will continue to be involved in the GAP update process.



## Chapter 4. Five Year Management Plan: 2025 - 2029

The HLB will review several of its holdings for disposal during this five-(5) year planning period. The following pages represent HLB parcels that will be considered for sale, lease or exchange, provided such disposals are consistent with the MOA Comprehensive Plan, land use studies, wetlands mitigation policies, and market conditions. As recommendations for any disposals are made, the public hearing process will be initiated through the HLBAC and recommended to the Mayor, with subsequent approval required by the Assembly, also following a public hearing. Several of these parcels will need to be reviewed more carefully or land use studies undertaken before determining final disposition or use. Housing is a municipal-wide need. HLB will continue to evaluate parcels for housing development potential as community planning documents are updated. Exploring non-profit entities for partnership is an avenue that will be considered to provide varied housing options.

### Potential Disposals, Exchanges & Transfers: 2025 - 2029

*HLB Parcels 1-081 & 1-082* – Staff may explore feasibility of residential development for an eventual disposal for that purpose with access to Chugach State Park is applicable.

*HLB Parcels 2-116 through 2-122* – These parcels may be more appropriate to be withdrawn out of HLB inventory and into Real Estate Services with Management Authority provided to Parks & Recreation.

*HLB Parcel 2-139* – Access needs to be established through a private parcel.

*HLB Parcels 2-144A - D* – Per the *PVLUA*, these parcels are designated for residential and open space recreational use. 2-144C was rezoned to R-6 in 2018 (AO 2017-163) and may be considered for disposal in a future work plan.

*HLB Parcel 2-146* – Although the *PVLUA* recommends a rezone for this parcel from PLI to R6-SL, the *HDP* suggests that due to slopes in the area, R-10 may be more appropriate in this general area. Staff may consult with the Planning Department to assess appropriate zoning for this parcel.

*HLB Parcel 2-147* – Evaluate for potential competitive bid disposal.

*HLB Parcel 2-158* – Grant an Intergovernmental Permit to Project, Management & Engineering (PM&E) for the purpose of increasing access to HLB parcel 2-152, with construction at a later date.

*HLB Parcel 3-010* – Disposal by competitive bid or leasing of part or all of the parcel may be considered.

*HLB Parcels 4-032, 4-033A-F & 4-034* – The *2040 Land Use Plan Map* identifies community facility uses for a portion of these areas and HLB will consider a long-term lease consistent with that



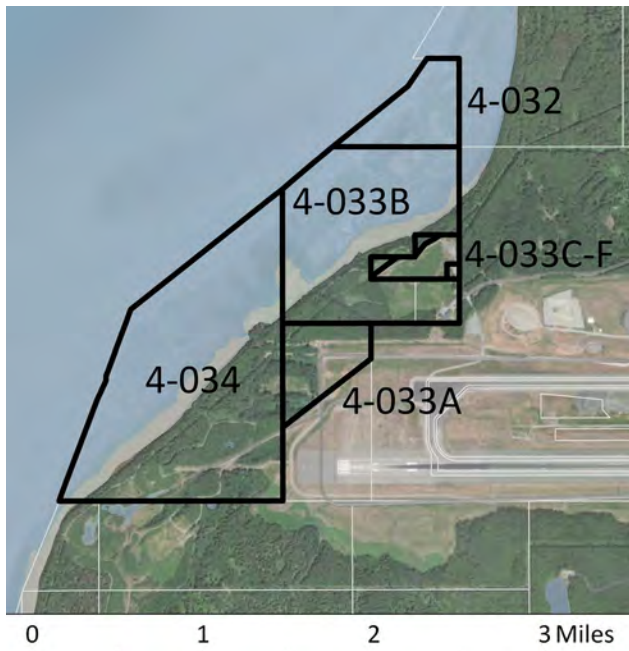


Figure 1: HLB Parcels 4-032, 4-033A-F & 4-034

approved planning document. TSAIA has a Right-of-Way easement and a Land Use Permit in the area, which would be taken into account in any future actions.

Public Access to the Tony Knowles Coastal Trail through HLB land may be considered if/when development of the parcel(s) are proposed. Additionally, HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to determine appropriate boundaries for a trail and natural space buffer within the areas designated as Park or Natural Area, and, as funding is available, will survey the trail and natural space buffer portions for transfer of management authority to Parks and Recreation. HLB will retain all

management responsibilities pertaining to existing contracts affecting these parcels. HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to discuss possible park dedication or other permanent protection status for the trail and natural space buffer (Figure 1).

*HLB Parcel 4-045* – Resolve trespass issue and evaluate withdrawal of property out of HLB Inventory to Real Estate Services with management by Parks & Recreation.

*HLB Parcel 4-046, 4-047* – Discussions anticipated to occur with any users of the site and other interested parties for development of the cultural aspects identified in the Former Native Hospital Site Master Plan. A Request for Interest (RFI) will be made to developers for Mixed Use/Residential development consistent with the Former Native Hospital Site Master Plan.

*HLB Parcels 5-010, 5-011, 5-012* – Application for peat removal has been submitted to the US Army Corps of Engineers. Complete permitting process and evaluate lease or sale of the sites.

*HLB Parcels 6-003B* – This parcel, located near the Indian Valley Bible Chalet, may be considered for disposal. The site is also located near utility lines and may be requested for expanded utility facilities.

*HLB Parcel 6-003C* – The Turnagain Arm Community Council has expressed interest in locating a community center on this parcel and passed a resolution in support in 2016. The TACC will notify HLB when able to move forward on their effort.

*HLB Parcel 6-039* – Evaluate this parcel for potential replat into residential lots for disposal.

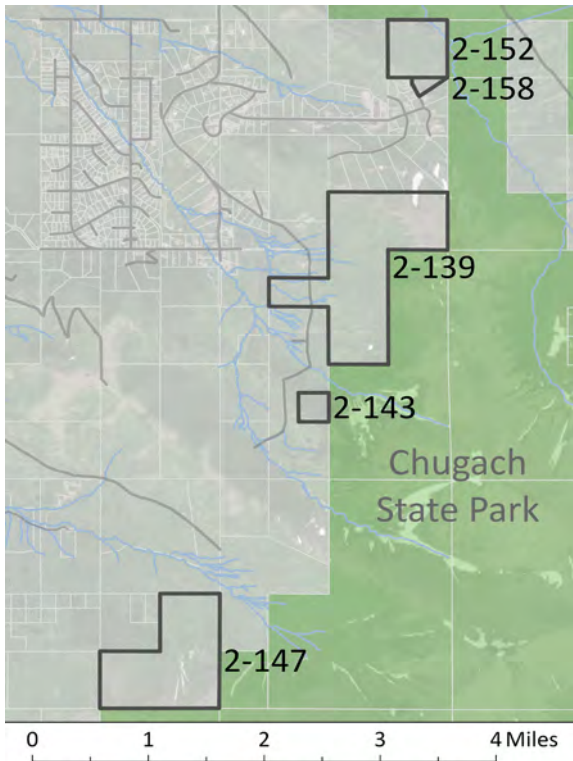


Figure 2: HLB Parcels adjacent to Chugach State Park

approval by the HLBAC, to allow proactive acquisition of key parcels to achieve the mission of the HLB.

*Chugach State Park Access* – In order to improve access to Chugach State Park (CSP) as the *Anchorage 2020 Comprehensive Plan (2001)* encourages, HLB will continue exploring the feasibility of exchanging parcels or allowing development of access to CSP from certain HLB parcels, such as HLB Parcels 2-139 and 2-152 in upper Bear Valley. CSP has produced an access inventory and trails and access plans. HLB will work with the State and the public to accommodate some of these desired access areas and evaluate these parcels for issuance of access easement across HLB land to provide CSP access (Figure 2).

*HLB Parcels 6-251, 6-295 & 6-296* – A survey of the approximately 1,200 acres comprising the study area will be required prior to final conveyance of the land by the State to the Municipality. The BLM needs to issue a final patent to the State prior to conveyance to the MOA. *Glacier-Winner Creek Access Corridor Study (1996)* and the *Girdwood Area Plan (1995)* identified several thousand acres of HLB and state land near the confluence of Glacier and Winner Creeks in the upper Girdwood Valley for development, constrained at this time by market demand and infrastructure costs.

### Potential Plans, Studies & Surveys: 2025 - 2029

*Girdwood South Townsite Master Plan* – potential update after the GAP is complete.

*HLB Parcels 6-053, 6-054, 6-055, 6-056* – Potential Pursue disposal to ADOT&PF in support of future Alyeska Highway intersection redesign.

*HLB Parcels 6-075* – Withdraw from HLB inventory and transfer to Girdwood Parks and Recreation.

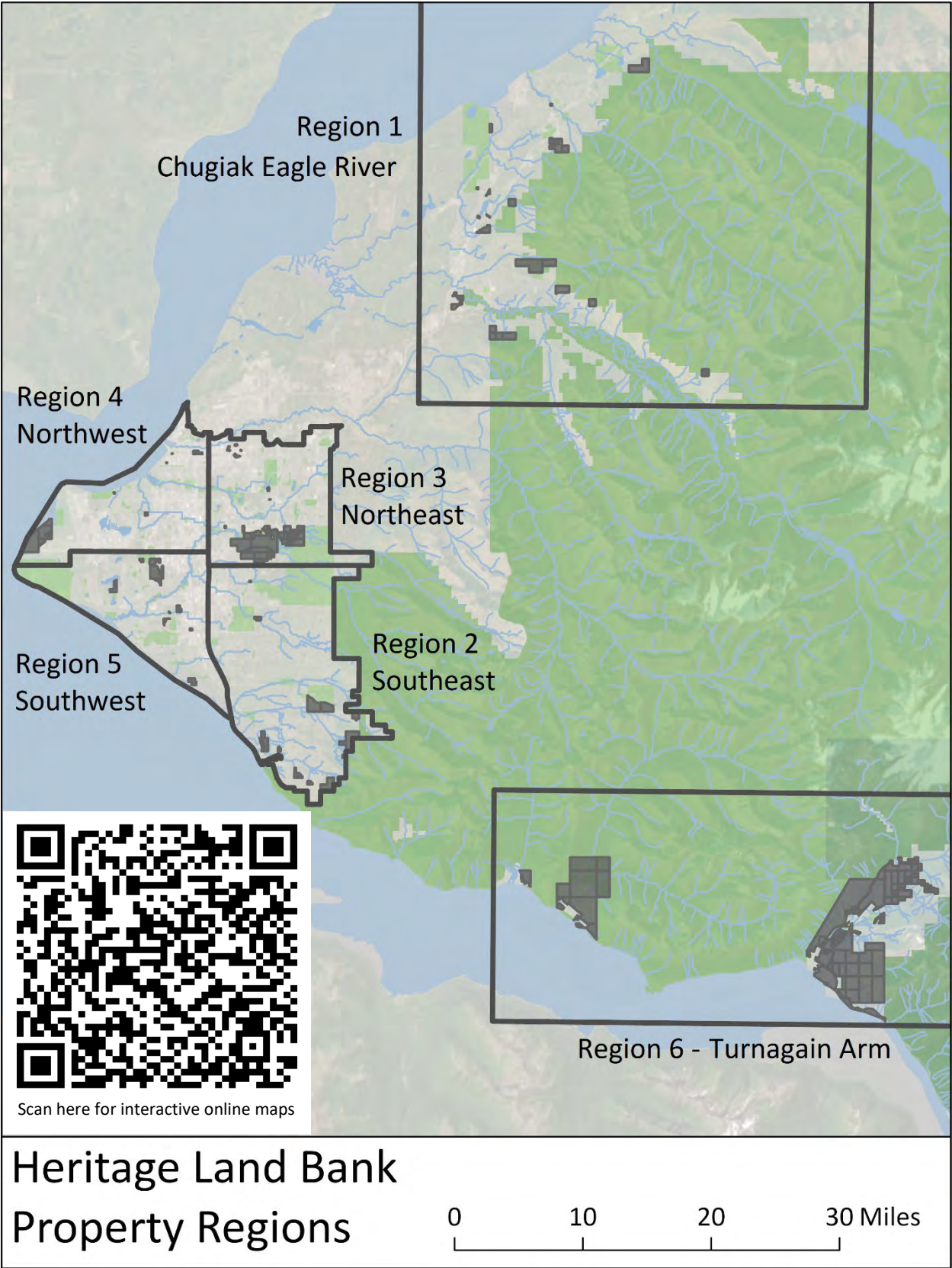
### Potential Acquisitions: 2025 - 2029

*Municipal Entitlement Lands* – HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the State of Alaska to the Municipality.

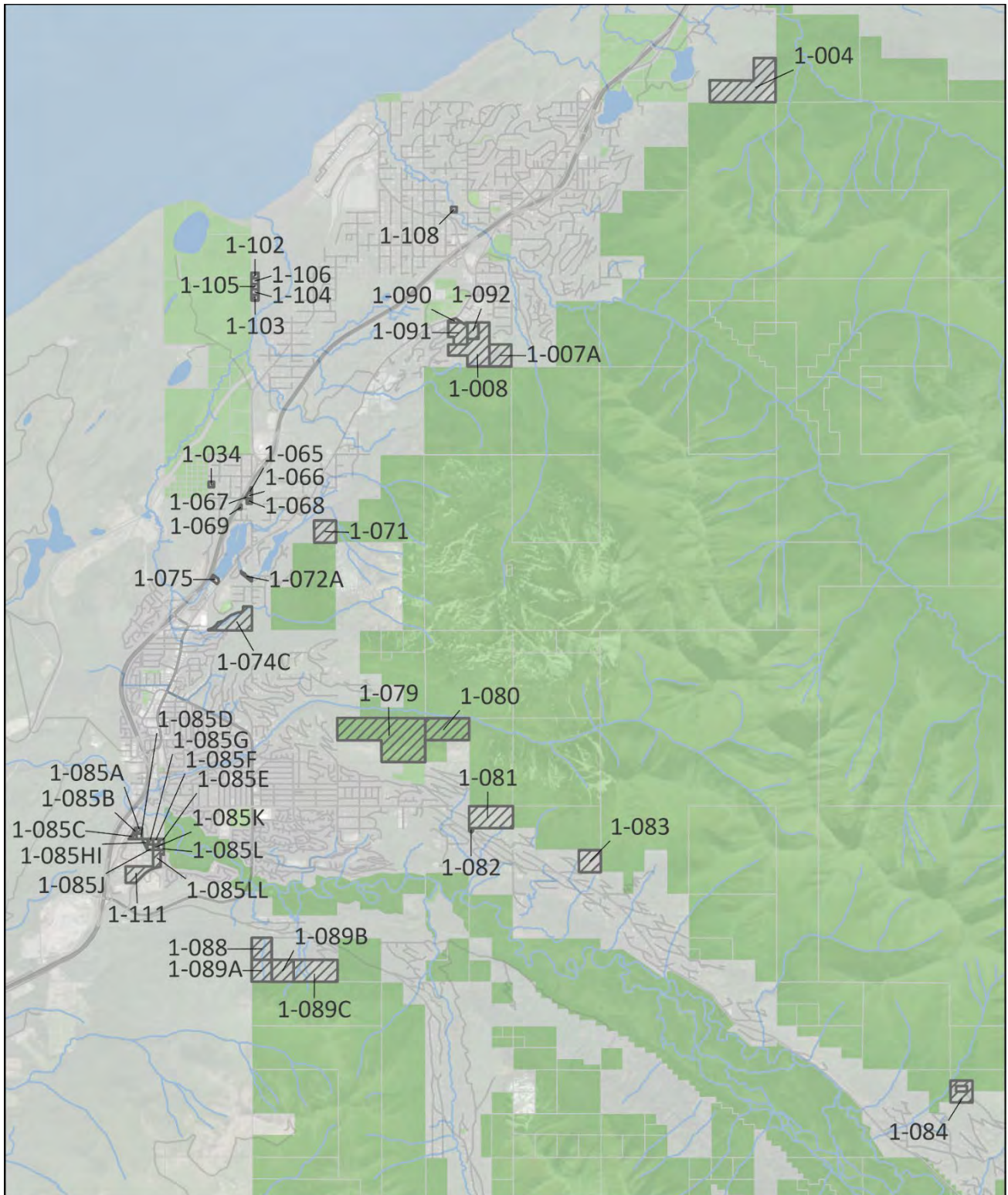
### Potential Projects: 2025 - 2029

*Revolving HLB Fund* – HLB staff will draft a revolving fund account policy and procedure instrument, for review and

Appendix A





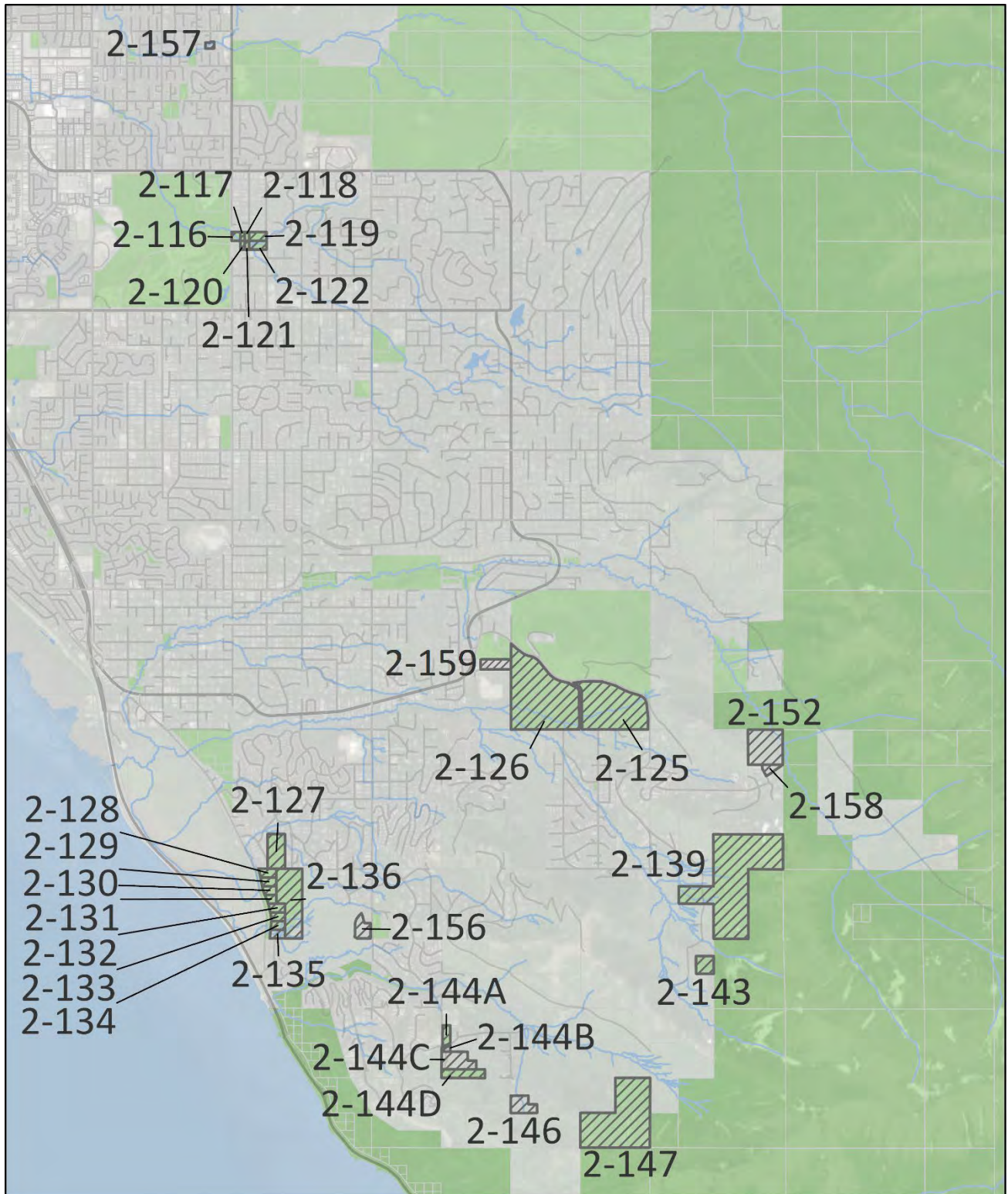


# HLB Property Region 1

## Chugiak Eagle River Parcels

0 2 4 6 Miles

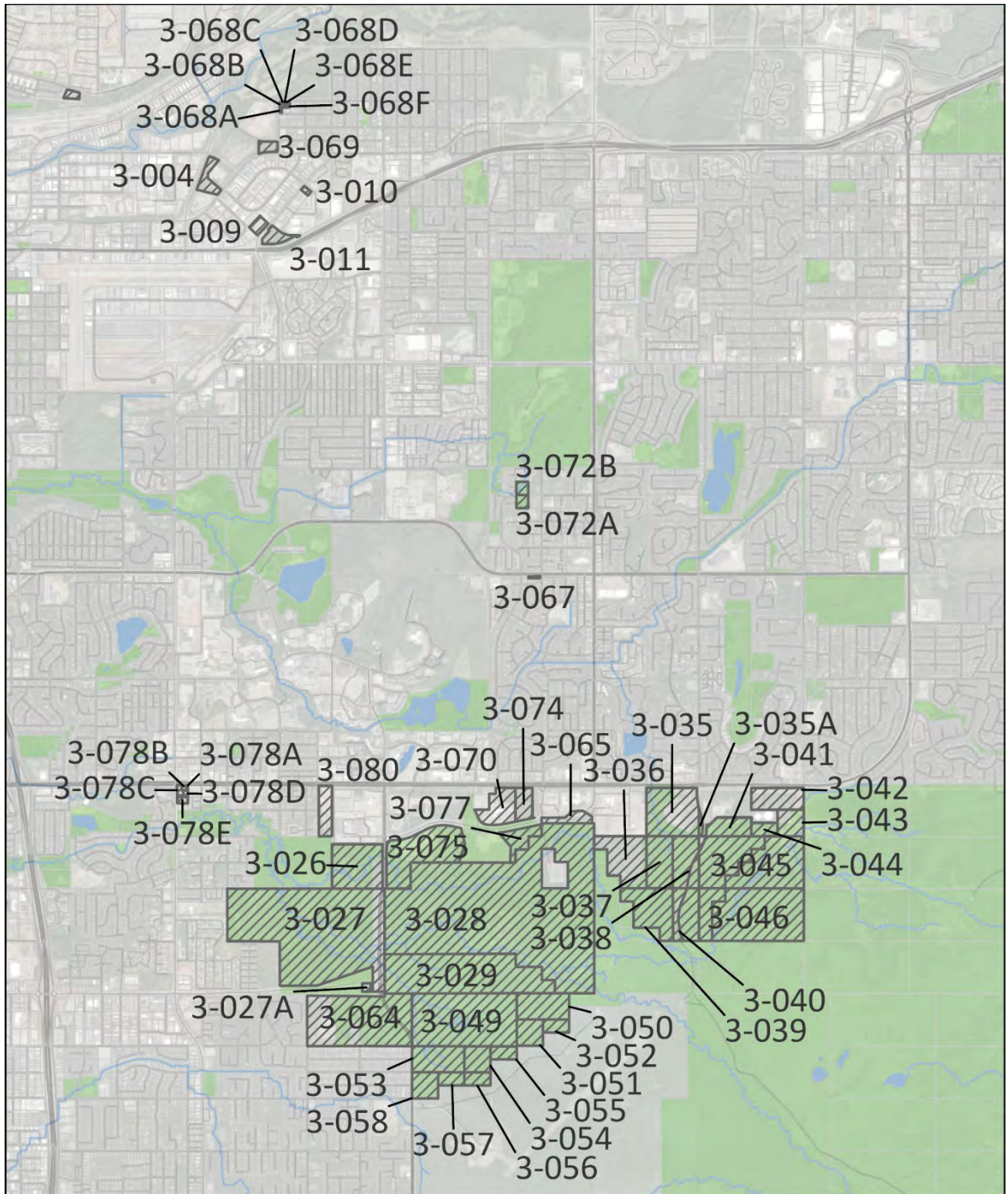




## HLB Property Region 2 Southeast Parcels

0 2 4 Miles

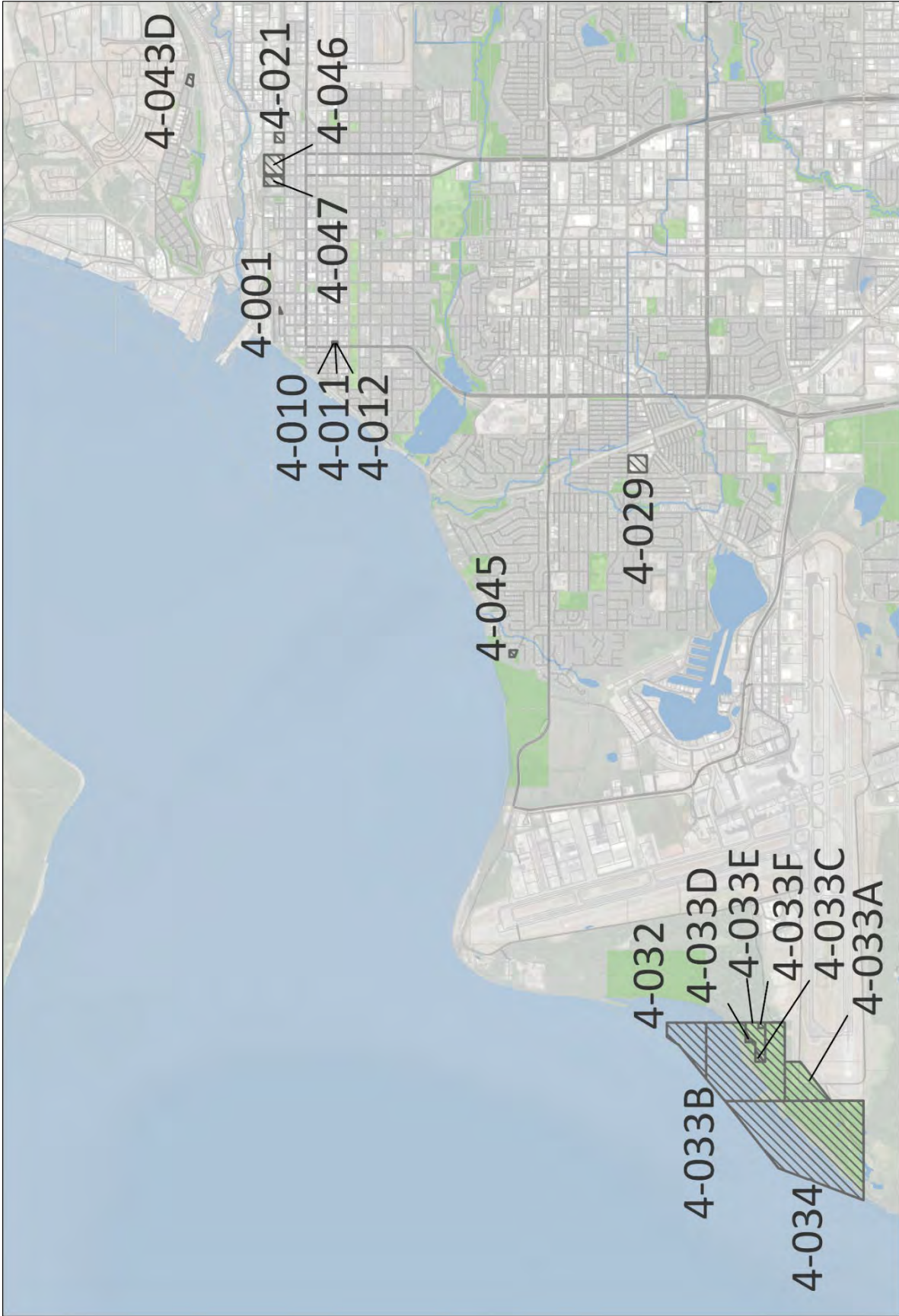




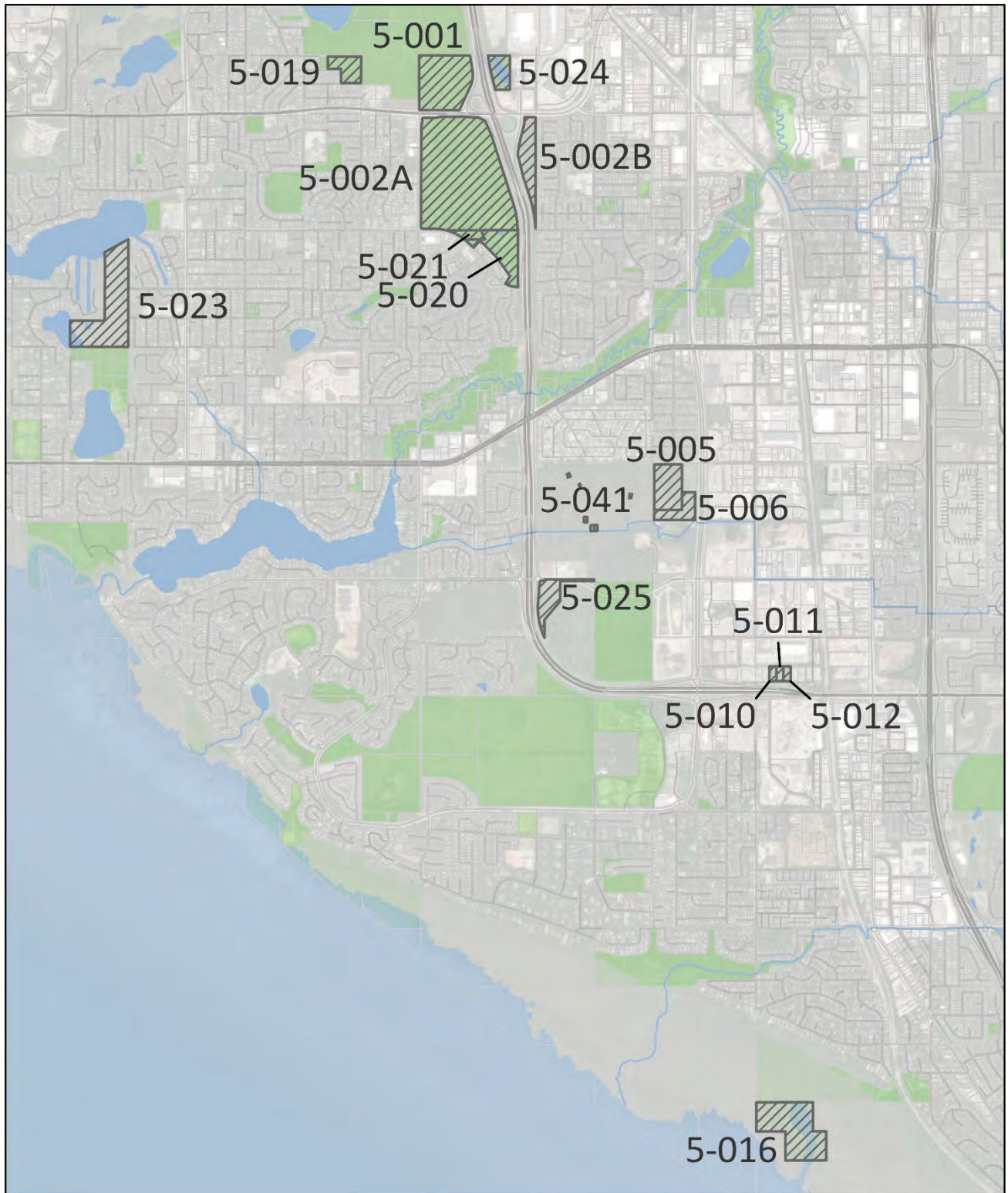
## HLB Property Region 3 Northeast Parcels

0 1 2 3 Miles





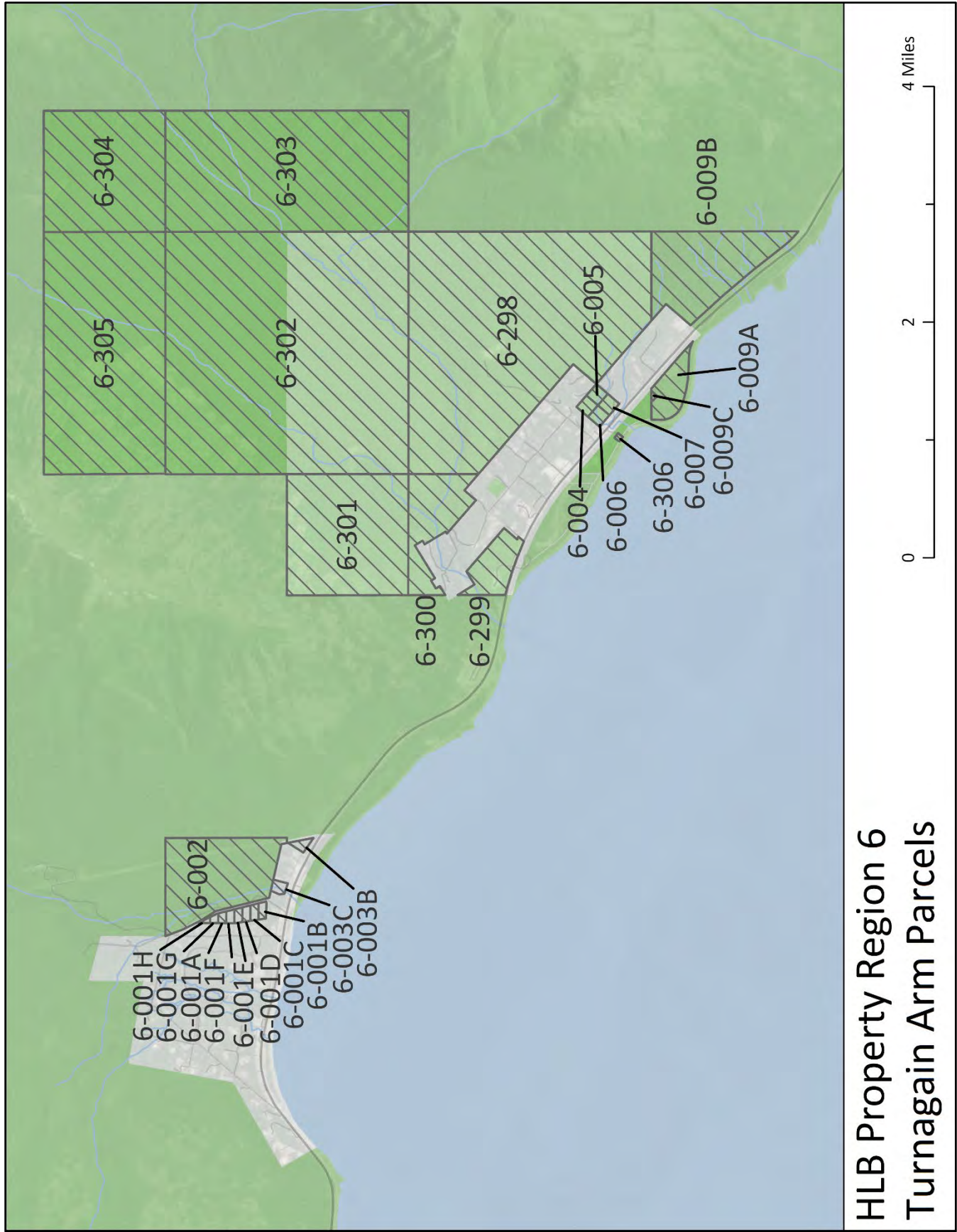
## HLB Property Region 4 Northwest Parcels



## HLB Property Region 5 Southwest Parcels

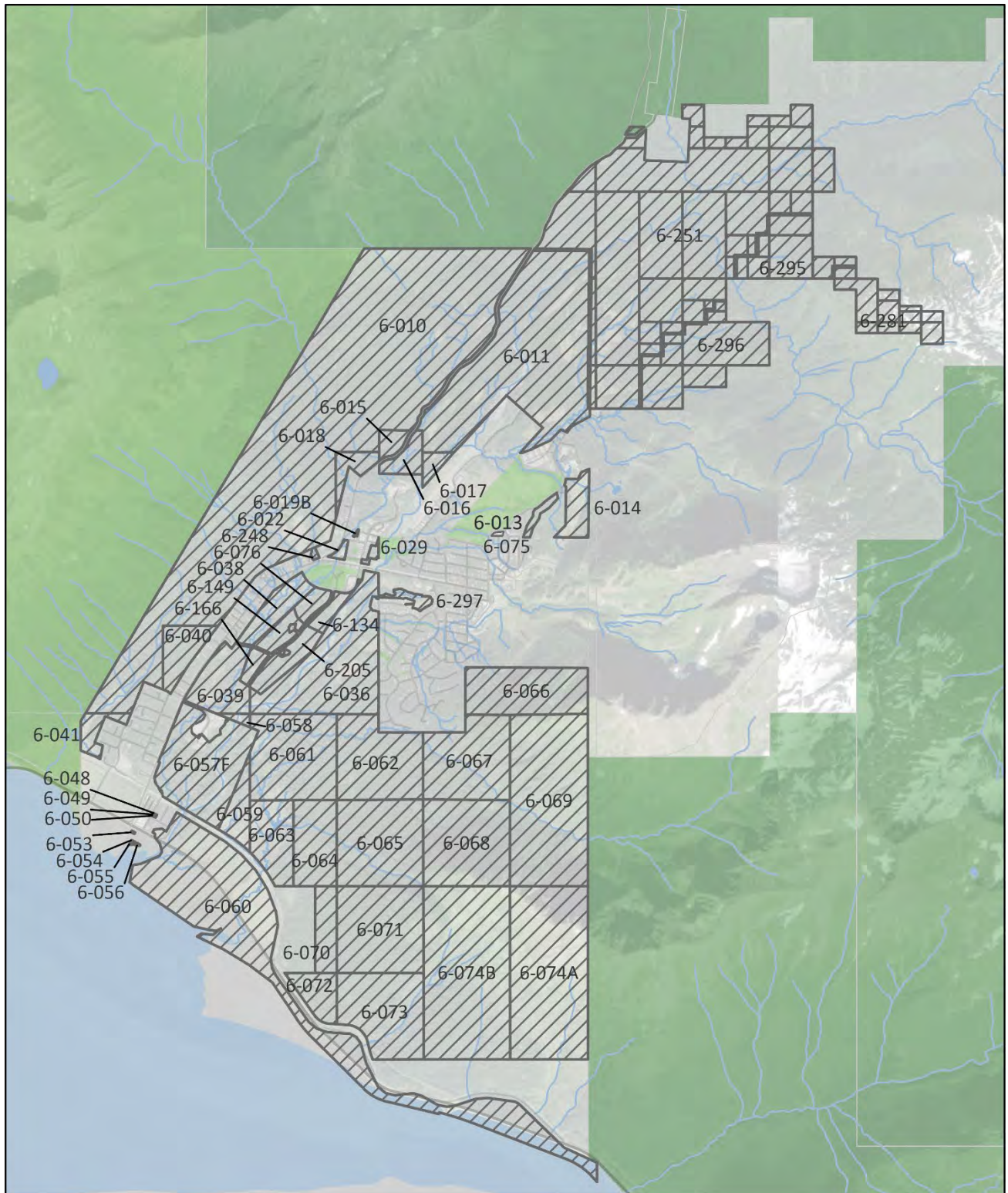
0 1 2 3 Miles





## HLB Property Region 6 Turnagain Arm Parcels





## HLB Property Region 6 Girdwood Parcels

0 1 2 3 Miles

## Appendix B



# MUNICIPALITY OF ANCHORAGE

## REAL ESTATE DEPARTMENT

### HERITAGE LAND BANK

## OVERVIEW & POLICIES

### I. Overview

The Municipality of Anchorage Heritage Land Bank (HLB) is responsible for managing the majority of the municipality's uncommitted land base, currently consisting of over 12,000 acres. This acreage is distributed from Chugiak to Girdwood and classified as residential, commercial, industrial, open space, and recreational areas. The HLB manages this land in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan (AMC § 25.40.010).

All land and resources subject to HLB management should be included in the HLB Inventory. Land transferred to the Municipality from the State of Alaska under separate agreement or as part of the Municipal Entitlement Act is added to the inventory. Land may be withdrawn from the inventory and management transferred to other municipal agencies if such land is needed for the location of public facilities or purposes, including schools and dedicated or designated parks and open space. In addition, if HLB land is determined excess to municipal need, such land may be disposed of through land sales, exchanges, or leases. HLB staff also issues land use permits for a variety of temporary uses on HLB land.

The HLB Fund exists to receive income generated by the HLB land. The HLB Fund is used for HLB operating expenses, to acquire new land needed for municipal use, and for improvements to HLB land. All monies held in the HLB Fund are managed in a public fiduciary capacity in an account separate from other municipal funds. HLB is not tax supported and therefore has no impact on property tax revenues.

The HLB Policies and the Anchorage Municipal Charter and Code provide the general principles and guidelines necessary to govern the HLB functions related to the management of HLB land and the HLB Fund.

Any issues not explicitly covered by these policies shall be reviewed and decisions made on a case-by-case basis by the Executive Director of the Office of Economic and Community Development or their designee after consultation with the Municipal Attorney and a determination of conformance with AMC § 25.40.

### II. Heritage Land Bank Advisory Commission

A seven member HLB Advisory Commission (HLBAC) from a diversity of geographic residence, occupations, and civic involvement is appointed by the Mayor and confirmed by the Assembly.

The HLBAC generally makes advisory recommendations on proposed HLB actions to the Mayor and Assembly. HLBAC members serve a maximum of two consecutive three-year terms. The commission holds regular monthly meetings to consider proposed actions, except when there is no action pending.

### **III. Public Notice and Hearing Procedures**

HLB staff provides public notice and holds a public hearing prior to making a recommendation to the Mayor and Assembly regarding actions affecting HLB land or the HLB Fund. Public notice must be postmarked 14 days prior to the public hearing. Public noticing is accomplished by:

- a. posting a sign on the land proposed for the action; and
- b. mailing notices to all property owners within 500 feet of the outer boundary of the affected HLB parcel (or the 50 parcels nearest the outer boundary of the HLB parcel, whichever is greater); and
- c. emailing notification to the Community Council where the affected HLB land is located, and the HLB distribution list, per AMC § 25.40.030; and
- d. posting the agendas on the HLB web page at <http://www.muni.org/HLB>, as well as the Municipal Boards and Commissions and Public Hearing Notices websites.

### **IV. HLB Land Disposals**

The HLB periodically makes determinations regarding disposal of land or interests in land, consistent with the Municipal Charter, Municipal Code, the HLB Annual Work Program and Five-Year Management Plan, and HLB Policies. All land disposals must also be consistent with the Comprehensive Plan and implementing measures as well as long-term municipal and community development needs. After a public hearing on a proposal, the HLBAC submits a written finding and recommendation to the Mayor and Assembly, stating whether or not a proposed land disposal is in the best interest of the Municipality and consistent with the HLB mission and purpose. Any disposal utilizing AMC § 25.40.025H shall include additional requirements and conditions to ensure the proper development and completion of the project in the public interest, these types of disposals shall be solicited through requests for proposals or through invitations to bid.

#### **A. Land Sales**

All proposed HLB land sales occur by a competitive bid process as described in AMC § 25.40.025D for at least the appraised fair market value of the land. An application to purchase HLB land grants the applicant no right of preference or other priority.

#### **B. Land Exchanges**

The HLB may exchange HLB land for other land on at least an equal value basis, as determined by a fair market value appraisal by a certified real estate appraiser.



### **C. Leases**

Per AMC § 25.40.025F, leases are awarded by open competitive bid process based upon one of three forms of compensation:

1. for at least appraised fair market rental rates as determined by a certified real estate appraiser; or
2. a percentage of gross receipts; or
3. a user fee. Lease rates are adjusted at intervals of not more than every five years, except as otherwise approved by the Mayor and Assembly, to reflect current market conditions. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. An application to lease HLB land grants the applicant no right of preference or other priority.

### **D. Easements**

Easements are a disposal of an interest in land, granted non-competitively for a one-time fee based upon appraised fair market or use value, with approval of the Mayor and Assembly.

### **E. Rights-of-Way**

Rights-of-Way (ROW) are another form of land disposal where an area may be awarded non-competitively to a specific utility or government body requesting the ROW. As with easements, the HLB allows the disposal for a one-time fee or payment based on fair market or use value of the area to be disposed of as ROW.

### **F. Anchorage School District**

AO 2007-124(S), passed 9/25/07, covers specific procedures for site selection and acquisition of properties for school lands, amending AMC § 25.40 to include a new section (AMC § 25.40.015D), detailing selection, acquisition, and compensation to HLB for land selected as a school site.

## **V. Permits**

HLB staff administratively issues a variety of land use permits for HLB land and resources. These permits are not a disposal of HLB land; rather a permit is a temporary grant to an individual, corporation, or agency of the right to use HLB land for a particular purpose for one year or less in duration. These authorizations include Land Use and Special Event Permits. The HLB Fee Schedule specifies the fees appropriate to various permits and use authorizations (see Section X).

## **VI. Intra-Governmental Authorizations and Intra-Governmental Permits**

Generally Intra-Governmental Authorizations and Intra-Governmental Permits are granted to another municipal department or agency for the duration of a construction/utility project; where necessary to complete a specific project, the timeframe may exceed one year. Intra-Governmental Permits may be public use easements that are recorded and convert to full easements if the property is ever conveyed.

## **VII. Withdrawals from the HLB Inventory**

Some HLB lands are needed by other municipal agencies for specific municipal purposes. If the need is permanent or long-term in duration, the Mayor and Assembly may withdraw the land from the HLB Inventory and transfer it to Real Estate Services. Withdrawals requested by the Mayor with Assembly approval become effective only after at least 30 days prior written notice to the HLB Advisory Commission and at least one HLBAC public hearing, per AMC § 25.40.015B. If land is withdrawn from the HLB Inventory for the use and management of a public agency not supported by municipal taxes, compensation must be paid to the HLB for at least the fair market value of the land as well as administrative and associated costs. Withdrawals of HLB land for other municipal agencies may include a date certain reversionary clause, as determined by the Director of Community Development or their designee. If the agency does not use the parcel for the requested municipal purpose by the date certain, the Mayor may designate the land for return to the HLB inventory. The requesting agency may resubmit a second request for withdrawal at a later date, if necessary.

## **VIII. HLB Land Management**

HLB land management practices are governed by AMC § 25.40. The code requires the HLBAC to submit for Assembly approval an Annual HLB Work Program that conforms to the Five-Year Management Plan, Policies covering the management of the HLB land, and the HLB Fund. The Five-Year HLB Management Plan is often included with the annual work program, but is required by code to be updated at least once every five years. The Five-Year Management Plan generally identifies the land acquisition, inventory, management, transfer, and disposal objectives anticipated during this timeframe. The Annual HLB Work Program includes more detailed descriptions of the proposed activities for the coming calendar year and related revenue and expenditure projections.

## **IX. HLB Policies**

### **A. Land Management Policies**

1. HLB staff shall manage land in the HLB inventory with the objective of maximizing municipal purposes and benefits. Its present responsibility is to provide sites for public facilities and uses for the present and future citizens of the Municipality of Anchorage. HLB staff shall consult regularly with other municipal agencies and the Assembly to determine whether HLB land is needed to fulfill various municipal

- purposes. If an agency has identified a municipal need for HLB land (present or future), and provides sufficient justification in support of the need, HLB staff may either (a) initiate a process to remove the land from the HLB inventory and transfer to Real Estate Services for transfer of management authority to the requesting municipal agency, or (b) create an Intra-governmental Authorization, and retain the land in the HLB Inventory.
2. All HLB land management decisions shall be based upon a finding of compatibility with municipal interests and the overall mission of the HLB. It is anticipated the majority of the land in the HLB inventory shall continue to be held for future municipal use. Where retained, HLB land shall be managed in a manner to protect and enhance its present and future economic and other municipal values. The HLB shall ensure all HLB lands are reasonably protected from adverse impacts, including fire, insect damage, plant disease, illegal dumping, Off-Road Vehicle damage, hazardous or contaminated materials, trespass, vandalism, theft, etc.
  3. HLB staff may allow temporary use permits on HLB land, provided such permits do not exceed one year (12 months), any contract longer than one year requires Assembly approval. Such temporary use includes short-term Land Use Permits (LUP), Temporary Construction Permits (TCP), and such other specific use authorizations as approved in advance by HLB staff. Where there are agreements for another MOA Agency to do maintenance or land management activities on a parcel HLB is considering a LUP, HLB will provide an opportunity for that agency to review and concur on any issued LUP. Revenue sharing will be at the discretion of the HLB Executive Director.
  4. All land use permits shall be based upon prevailing market rates, unless otherwise provided by AMC § 25.40 or the HLB Fee Schedule. All payments due to the HLB and all terms of the permit shall remain current, or the HLB shall take appropriate action to ensure payment or terminate the permit.
  5. HLB staff shall regularly update and maintain complete and accurate land records in the HLB Inventory. HLB staff shall continue integrating its land records with the municipal Geographic Information System (GIS) to enhance the ability of the HLB to make land use decisions based upon the best available information, including geospatial data.
  6. The use of HLB land for wetlands mitigation approved by the U.S. Army Corps of Engineers (USACE) is allowed, provided the mitigation is consistent with the mission of the HLB and is approved by the HLBAC and Assembly.
    - a. HLB staff may execute an In-Lieu Fee Agreement with the USACE allowing the sale of credits to public or private developers. The funds received pursuant to an In-Lieu Fee Agreement shall be used for subsequent wetland and/or riparian acquisition, restoration, creation, enhancement, and preservation in accordance with plans authorized by the USACE.

- b. HLB may create a mitigation bank by placing conservation easements on lands owned by the MOA. HLB staff may then sell the mitigation credits to developers needing credits to satisfy USACE permit requirements.
- c. HLB staff may enter into permit-specific agreements with developers to provide mitigation credits on an ad hoc basis, when approved by the USACE.
- d. When HLB land has a recorded Conservation Easement, that property would be withdrawn from the HLB inventory into RES for land management. HLB staff would be responsible for the management of the Conservation Easement.

## **B. Land Use Planning Policies**

1. HLB staff shall manage land and resources consistent with approved Comprehensive Plans and implementing measures. If it cannot be determined whether a proposed land management or disposal action is consistent with the appropriate comprehensive plan or implementing measures, HLB staff shall complete a site-specific land use study prior to taking action on the proposal; the land use study and process may be coordinated with the Planning Department. A site-specific land use study shall address, at a minimum, the following information:
  - a. The need for community facilities such as roads, parks, trails, schools, satellite municipal offices, etc.
  - b. Identify historical and natural landmarks, natural hazards, and environmentally sensitive areas.
  - c. Public utility needs.
  - d. Potential residential, commercial and industrial uses.
  - e. Land use compatibility with adjacent areas.
  - f. Consistency with land uses identified in the Comprehensive Plan, adopted area plans, and with zoning in the area.
  - g. Potential municipal, public and community development needs.

Site specific land use studies shall be adopted through a public process, including public notice, opportunity for public comment, public hearing, and review by appropriate community council(s), HLBAC, Planning and Zoning Commission, and Assembly adoption.

2. The HLB shall initiate prudent predevelopment activities as appropriate in order to increase the value of an HLB parcel including, but not limited to, rezoning, re-platting, master planning, environmental assessment and/or remediation, and geotechnical investigations.
3. To the extent possible, the HLB shall strive to acquire and assemble additional HLB land to achieve more efficient and cost-effective land management. The HLB shall explore land exchange opportunities with other landowners where doing so benefits municipal interests.

## **C. Land Disposal Policies**

1. HLB staff regularly reviews land in the HLB Inventory to identify parcels that are potentially excess to municipal needs as part of drafting the annual HLB Work Program and Five-year Management Plan. HLB may take advantage of unforeseen opportunities or urgent need not identified in the work program or five-year management plan. If a proposed disposal is included, HLB staff may initiate the disposal process. An unforeseen situation may prompt an amendment to the Work Plan and is brought to the Commission and Assembly in tandem with the action item resolution.
2. The HLB may dispose of land when it is determined there is no current or considered municipal use for the land and market conditions are determined to be favorable. A decision to dispose of HLB land shall be based upon written findings addressing how the disposal is in the best interest of the Municipality and consistent with the purpose and mission of the HLB. The written finding shall also identify the details associated with the disposal, including method, timing, terms, projected effects on the neighborhood and public facilities, and other relevant information. HLB, will consider adding a reverter clause stating that if the buyer does not initiate progress on a development project, the land will revert back to the MOA Heritage Land Bank inventory after five (5) years of inactivity.
3. All land sales shall occur by a competitive bid process for at least the appraised fair market value of the land. HLB staff shall provide at least a 14-day period for accepting qualified bids to purchase land. The successful bidder shall be the applicant submitting the highest qualified bid. Unless otherwise authorized, sealed bid offerings shall be the preferred method of disposal. An application to purchase HLB land shall grant the applicant no right of preference or priority.
4. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value, if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. **HLB land may be leased to other than non-profit agencies only through an open competitive bid process.** The method of compensation to the HLB shall be one of the following:
  - a. At least appraised fair market value;
  - b. A percentage of the annual gross receipts as determined by the HLB;
  - c. A user fee as determined by the HLB; or
  - d. Any combination of the above.

Lease rates shall be adjusted at intervals of no more than five years, except as otherwise authorized by the Assembly, to reflect current market conditions. An application to lease HLB land grants the applicant no right of preference or priority. Lease terms shall generally be commensurate with the length of the proposed uses, although no lease shall be longer than 55 years.



5. Prior to issuing an RFP for a specific project, the Executive Director will inform the HLBAC of the pending action during the Director's Report at a regular meeting. After the RFP is issued, HLB will provide periodic updates on the progress through written monthly updates provided in the HLBAC meeting packet.
6. HLB will deliver an executed Development Agreement along with a pro forma to the HLBAC prior to any resolution seeking a recommendation for disposal.
7. Lessees shall be consulted on proposed activities affecting their authorized uses or any proposed changes in lease terms and conditions. HLB staff shall encourage lessees to make improvements to HLB land consistent with lease purposes. However, any lessee proposing such improvements must obtain HLB staff authorization, or as instructed in lease agreement, prior to making the improvement, and must agree in writing to maintain the improvement in good working order over the term of the lease.
8. If there is reason to believe HLB land proposed for disposal may contain hazardous or contaminated waste or other materials, HLB staff shall complete an environmental assessment of the property prior to offering the land for disposal. If the assessment reveals the potential presence of hazardous or contaminated waste or materials, HLB staff may exclude the land from the proposed disposal and remediate the site in accordance with applicable law. Contamination and indemnity clauses on all contracts shall be reviewed during annual contract summaries and upon amendments or renewals.
9. HLB land may be exchanged for other land of equal or greater fair market appraised value with greater potential value or attributes for municipal use. HLB staff may accept or pay cash to another party in order to equalize land values.
10. The HLB shall authorize easements at the current fair market rate, although another public agency may obtain an easement at less than fair market value if determined to be in the best interest of the municipality, including Intra-Governmental Permits.
11. Any entity acquiring HLB property shall indemnify or hold the HLB/MOA harmless from any third-party liability, damages, or claims arising from the disposal.

#### **D. Land Acquisition Policies**

1. HLB staff shall seek to obtain the highest quality land available when acquiring new land by exchange or by selection from the state under the Municipal Entitlement Act. Particular priority and emphasis shall be placed upon obtaining lands to satisfy present or future municipal needs and purposes.
2. HLB staff shall ensure all prior land agreements, court settlements, and legislative acts are fulfilled as intended to result in the conveyance of land to the Municipality.
3. The HLB may accept donations of land, consistent with the mission of the HLB.
4. If there is reason to believe land proposed for acquisition by the HLB may contain hazardous or contaminated waste or other materials, HLB staff shall ensure an

environmental assessment of the property is conducted prior to making a recommendation to acquire the land.

#### **E. HLB Fund Management**

1. The HLB Fund shall be used only for HLB operating expenses, acquisition of land for municipal purposes, and for maintenance and improvements to HLB land.
2. HLB staff shall manage the HLB Fund in a fiduciary manner seeking to increase the value of the Fund corpus over the long-term.
3. The HLB Fund may be used to acquire land for municipal purposes if alternative means of acquisition have been explored and determined to be untimely, impractical, or infeasible.
4. HLB staff may invest HLB capital in land improvements on HLB land, or other lands with community benefit consistent with the Comprehensive Plan, Assembly approval, in such direct capital investments and value enhancement activities including but not limited to site planning, rezoning, platting, access and utility acquisition, pursuant to AMC § 25.40.035F.

#### **X. HLB Fee Schedule**

The HLB shall establish administrative and other fees associated with processing land disposals and permits. Please refer to Section IV for an overview of the types of land disposals and general procedures. **All fees may be modified at the discretion of the Director of Community and Economic Development or their designee.**

##### **A. Application Review Fee**

Applicants seeking to acquire HLB land are required to pay the HLB a non-refundable \$500 fee to initiate the application review process. The application fee must be submitted with the application. An additional \$500 fee may be charged by HLB for acquisitions or disposals where an expedited review, to be completed within ten business days, is requested. NOTE: An application to purchase HLB land grants the applicant no right of preference or other priority (AMC § 25.40.025A).

##### **B. Disposal Fees**

1. Land Sales - All HLB land sales shall be awarded competitively for no less than the fair market appraised value of the land plus costs and a \$500 administration fee. Land sales shall be awarded to the highest qualified bidder through a procedure determined by HLB to be the most appropriate for a given sale. Details for this process shall be provided in advance in the bidding instructions. In the case of identical highest qualified bids, the HLB shall obtain a best and final offer from among the highest identical qualified bids (AMC § 25.40.025D).
2. Leases – Leases shall be awarded by an open competitive bid process, unless issued under Section IX.C.4., and HLB shall determine the most appropriate compensation

method for the particular property, with details described in the bidding instructions, and may include one or more of the following:

- a. At least the fair market appraised value of the land; or
- b. A percentage of the gross receipts anticipated to be received by the bidder and attributed to the leasehold; or
- c. A user fee attributed to the leasehold; or
- d. Any combination of the above.

An administrative fee of \$500 shall also be paid by the successful bidder upon completion of the lease award. The successful bidder shall be the applicant proposing the method of compensation providing both the greatest monetary return to the HLB and the most consistent with the HLB mission and the best interests of the municipality.

Lease rates shall be adjusted by the HLB at intervals of not less than every five years to reflect current market conditions, except as otherwise specifically authorized by the Assembly.

#### **C. Disposals to Non-Profit Agencies**

The HLB may lease or sell HLB land non-competitively, where the lessee or purchaser is a non-profit or governmental agency, for less than its appraised fair market value, if the projected municipal benefits are found by the Mayor and the Assembly to be in the best interest of the Municipality.

A \$500 administrative fee shall apply for processing non-competitive or less than fair market value disposals to non-profit agencies or groups.

Other non-competitive disposals include:

1. Exchanges – HLB may conduct an equal value land exchange for other land on at least an equal value basis plus \$500 administrative fee (AMC § 25.40.025E).
2. Easements – Easements are awarded non-competitively for a one-time fee equal to the fair market value of the easement interest to be conveyed; a \$500 administrative fee shall be paid by the requestor.

#### **D. Permit Fees**

1. Applicants seeking to acquire a Permit are required to pay HLB a non-refundable \$250 fee to initiate the application review process. An additional administration fee of \$250 may be charged by HLB for issuance of permits on an expedited basis, i.e., within 10 working days.
2. Intra-Governmental Authorizations requested by non-tax based municipal agencies, including but not limited to AWWU, Port of Anchorage and ACDA, shall pay a minimum \$500 administration fee or 10% of the property's assessed value, whichever is greater.

3. Renewals, amendments, subleases, assignments or extensions of existing HLB leases and permits may require a minimum administrative fee of \$250 for each action (includes subleases and assignments). A security deposit may be required, based on the property to be permitted and the use proposed.

Permit Type	Fee Estimate
Special Event Permit (race, tournament, etc.)	\$500/day
Land Use Permit	10% of Assessed Value per year, or minimum of \$750/week for up to four weeks; \$250/week for remaining 48 weeks.
Land Use Permit (user fee)	Fee based on number of users. Minimum \$2 per user adjusted based on anticipated impact.
Intra-Governmental Authorization/Permit	\$500 or 10% of the Assessed Value, whichever is greater

*All permit fees are reviewed and approved by the Director.*

## **XI. Definitions**

**Appraised Fair Market Value.** The most probable price in cash, terms equivalent to cash, or in other precisely defined terms, for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming neither is under duress. Professional services may be obtained to coordinate an agreed upon purchase price and/or terms.

**Disposals.** Per AMC § 25.40.025A, HLB land disposals include land sales, land exchanges, leases and easements.

**Fair Market Lease/Rental Value.** The rental income a property most probably commands in the open market, indicated by the current rents paid for comparable area or space as of the effective date of agreement.

**Gross Receipts.** All money, income, revenue and any and all other things of value received by, paid to or transferred for the benefit of a lessee on HLB land, without offsets or deductions of any sort whatsoever, where such receipts or payment(s) are made as a result of or in connection with the lessee's interest in the leasehold.

**Improvements.** A valuable addition to HLB property or an amelioration in its condition, intended to enhance its value or utility or adapt it for new or further purposes, including expenditures to extend the useful life of the property asset, to improve its performance, or for off-site mitigation necessary to improve HLB land.

## Appendix C \*



# MUNICIPALITY OF ANCHORAGE

## REAL ESTATE DEPARTMENT

### HERITAGE LAND BANK

## MAJOR FUND ACTIVITIES BY YEAR

<b>1983:</b>	<b>1/83 Balance</b>	<b>\$62,172</b>				
	Revenue	2,630,922		<b>1990:</b>	<b>1/90 Balance</b>	\$3,293,525
	Expenses	-901,551			Revenue	1,479,015
	Op. Transfers	<u>795,170</u>			Expenses	-1,080,059
	12/83 Balance	\$2,586,713			Op. Transfer	<u>-67,550</u>
					12/90 Balance	\$3,624,931
<b>1984:</b>	<b>1/84 Balance</b>	<b>\$2,586,713</b>		<b>1991:</b>	<b>1/91 Balance</b>	<b>\$3,624,931</b>
	Revenue	3,566,449			Revenue	1,262,131
	Expenses	-2,602,775			Expenses	<u>-1,186,389</u>
	Op. Transfer	-13,267			12/91 Balance	\$3,700,673
	Note Proceeds	<u>1,000,000</u>		<b>1992:</b>	<b>1/92 Balance</b>	<b>\$3,700,673</b>
	12/84 Balance	\$4,537,120			Revenue	1,736,002
					Expenses	<u>-1,470,189</u>
<b>1985:</b>	<b>1/85 Balance</b>	<b>\$4,537,120</b>			12/92 Balance	\$3,966,486
	Revenue	2,587,762		<b>1993:</b>	<b>1/93 Balance</b>	<b>\$3,966,486</b>
	Expenses	-2,545,766			Revenue	1,694,488
	Op. Transfer.	<u>-270,146</u>			Expenses	<u>-3,254,525</u>
	12/85 Balance	\$4,308,970			12/93 Balance	\$2,406,449
				<b>1994:</b>	<b>1/94 Balance</b>	<b>\$2,406,449</b>
<b>1986:</b>	<b>1/86 Balance</b>	<b>\$4,308,970</b>			Revenue	2,219,763
	Revenue	2,771,864			Expenses	<u>-1,663,360</u>
	Expenses	-3,378,305			12/94 Balance	\$2,962,852
	Debt services	-583,928		<b>1995:</b>	<b>1/95 Balance</b>	<b>\$2,962,852</b>
	Op. Transf.	<u>-113,330</u>			Revenue	2,347,834
	12/86 Balance	\$3,005,271			Expenses	<u>-1,764,292</u>
					12/95 Balance	\$3,546,394
<b>1987:</b>	<b>1/87 Balance</b>	<b>\$3,005,271</b>		<b>1996:</b>	<b>1/96 Balance</b>	<b>\$3,546,394</b>
	Revenue	2,996,102			Revenue	1,742,078
	Expenses	-631,297			Expenses	<u>-1,150,073</u>
	Op. Transfers	<u>-3,566,901</u>			12/96 Balance	\$4,138,399
	12/87 Balance	\$1,803,175		<b>1997:</b>	<b>1/97 Balance</b>	<b>\$4,138,399</b>
					Revenue	782,382
<b>1988:</b>	<b>1/88 Balance</b>	<b>\$1,803,175</b>			Expenses	<u>-1,692,036</u>
	Revenue	1,451,700			12/97 Balance	\$3,228,745
	Expenses	<u>- 660,174</u>				
	12/88 Balance	\$2,594,701				
<b>1989:</b>	<b>1/89 Balance</b>	<b>\$2,594,701</b>				
	Revenue	1,422,523				
	Expenses	-683,699				
	Op. Transfer	<u>- 40,000</u>				
	12/89 Balance	\$3,293,525				



<b>1998:</b>	<b>1/98 Balance</b>	<b>\$3,228,745</b>	<b>2007</b>	<b>1/07 Balance</b>	<b>\$2,265,044</b>
	Revenue	2,075,660		Revenue	1,137,911
	Expenses	<u>-1,086,888</u>		Expenses	<u>-1,872,697</u>
	12/98 Balance	\$4,217,517		12/07 Balance	\$1,530,258
<b>1999:</b>	<b>1/99 Balance</b>	<b>\$4,217,517</b>	<b>2008</b>	<b>1/08 Balance</b>	<b>\$1,530,258</b>
	Revenue	1,607,489		Revenue	1,457,051
	Expenses	<u>-1,639,613</u>		Expenses	<u>-2,273,604</u>
	12/99 Balance	\$4,185,393		Receivables	<u>808,000</u>
				12/08 Balance	\$1,521,705
<b>2000:</b>	<b>1/00 Balance</b>	<b>\$4,185,393</b>	<b>2009</b>	<b>1/09 Balance</b>	<b>\$ 713,705</b>
	Revenue	728,502		Revenue	1,329,658
	Expenses	<u>-1,679,370</u>		Expenses	<u>-1,037,915</u>
	12/00 Balance	\$3,234,525		Receivables	<u>808,000</u>
				12/09 Balance	\$1,005,448
<b>2001:</b>	<b>1/01 Balance</b>	<b>\$3,234,525</b>	<b>2010</b>	<b>1/10 Balance</b>	<b>\$1,005,448</b>
	Revenue	1,004,831		Revenue	2,173,273
	Expenses	<u>-1,314,938</u>		Expenses	<u>-1,478,872</u>
	12/01 Balance	\$2,924,418		Receivables	<u>619,368</u>
				12/10 Balance	\$1,699,849
<b>2002:</b>	<b>1/02 Balance</b>	<b>\$2,939,753</b>	<b>2011</b>	<b>1/11 Balance</b>	<b>\$1,699,849</b>
	Revenue	1,769,255		Revenue	2,093,850
	Expenses	<u>-783,522</u>		Expenses	<u>-2,659,502</u>
	12/02 Balance	\$3,925,486		12/11 Balance	\$1,134,197
<b>2003:</b>	<b>1/03 Balance</b>	<b>\$3,925,486</b>	<b>2012</b>	<b>1/12 Balance</b>	<b>\$1,134,197</b>
	Revenue	2,452,397		Revenue	966,265
	Expenses	<u>-396,242</u>		Expenses	<u>-1,215,467</u>
	12/03 Balance	\$5,981,641		12/12 Balance	\$ 884,995
<b>2004</b>	<b>1/04 Balance</b>	<b>\$5,981,641</b>	<b>2013</b>	<b>1/13 Balance</b>	<b>\$884,995</b>
	Revenue	2,084,506		Revenue	7,556,534
	Expenses	<u>-3,776,373</u>		Expenses	<u>-1,771,356</u>
	12/04 Balance	\$4,289,774		Receivables	<u>1,615,000</u>
				12/13 Balance	\$6,670,173
<b>2005</b>	<b>1/05 Balance</b>	<b>\$4,289,774</b>	<b>2014</b>	<b>1/14 Balance</b>	<b>\$6,670,173</b>
	Revenue	1,152,290		Revenue	949,376
	Expenses	<u>-2,470,664</u>		Expenses	<u>-827,381</u>
	12/05 Balance	\$2,971,400		Receivables	<u>1,530,000</u>
				12/14 Balance	\$6,792,168
<b>2006</b>	<b>1/06 Balance</b>	<b>\$2,971,400</b>			
	Revenue	2,082,353			
	Expenses	<u>-2,788,709</u>			
	12/06 Balance	\$2,265,044			

**2015**    **1/15 Balance**    **\$6,792,168**  
Revenue                      970,600  
Expenses                    -1,434,725  
Receivables                2,115,400  
12/15 Balance            \$6,328,043

**2016**    **1/16 Balance**    **\$6,328,043**  
Revenue                      1,228,906  
Expenses                    2,168,689  
Receivables                1,646,199  
12/16 Balance            \$5,388,261

**2017**    **1/17 Balance**    **\$5,388,261**  
Revenue                      1,210,968  
Expenses                    1,206,972  
Receivables                1,275,000  
12/17 Balance            \$5,392,257

**2018**    **1/18 Balance**    **\$5,392,257**  
Revenue                      775,747  
Expenses                    1,004,147  
Receivables                1,190,000  
12/18 Balance            \$5,163,857

**2019**    **1/19 Balance**    **\$5,163,857**  
Revenue                      2,427,234  
Expenses                    1,175,725  
Receivables                1,105,000  
10/19 Balance            \$7,520,366

**2020**    **1/20 Balance**    **\$5,338,725**  
Revenue                      4,677,392  
Expenses                    955,754  
Receivables                1,297,909  
12/20 Balance            \$ 6,415,365

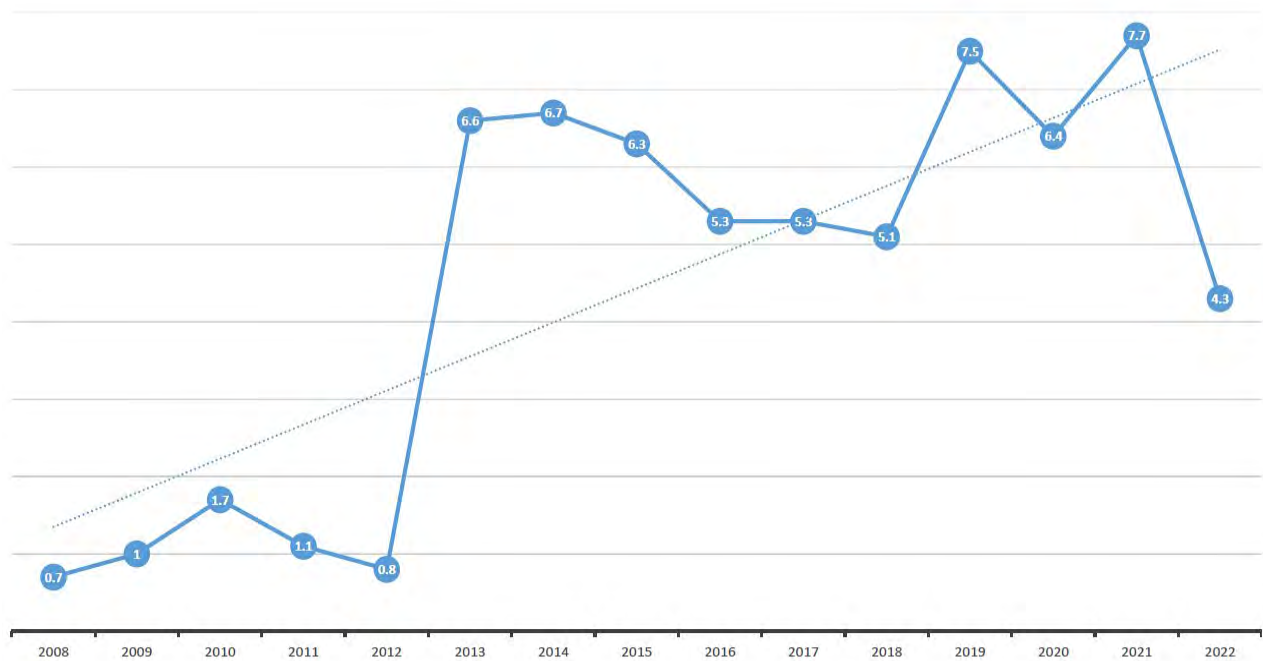
**2021**    **1/21 Balance**    **\$6,254,161**  
Revenue                      3,813,856  
Expenses                    947,841  
Receivables                1,294,346  
12/21 Balance            \$7,662,584

**2022**    **1/22 Balance**    **\$3,388,146\***  
Revenue                      1,034,930\*  
Expenses                    2,417,628\*  
Receivables                1,294,346\*  
12/22 Balance            \$4,277,734\*

**2023**    **1/23 Balance**    **\$**  
Revenue                      \*  
Expenses                    \*  
Receivables                \*  
12/23 Balance            \*

\*2022 and 2023 financials will be audited prior to Assembly Approval

HLB Fund Balance (year-end in millions) \*



Five-year Projection to 2029 based on trends from 2008 \*



\*2022 and 2023 financials will be audited prior to Assembly Approval

## Appendix D \*



# MUNICIPALITY OF ANCHORAGE

## REAL ESTATE DEPARTMENT

### HERITAGE LAND BANK

## LEASE AND PERMIT LIST (AS OF DECEMBER 2023)

Contract Number	Permittee / Lessee	HLB Parcel Number	Permitted Use	Contract End Date
73-001	Chugach Electric Association	3-027A	Dowling Substation	2028-01-28
87-002	Mt. Alyeska Ski Resort, LP sublease to Alyeska Resort Operations LP	6-014	Ski Operations	2028-02-28 sublease; 2048-03-31 lease
88-001	US Forest Service	6-043	Forest Service facility	2023-04-30
96-004	Alascom, Inc. dba AT&T Alaska	6-048 (portion); 6-049; 6-050	Cell tower and equipment	2023-12-31
96-005	SOA DNR/DPOR	1-090 & 1-091	Ptarmigan Valley trailhead	2046-11-03
98-003	Anchorage Fueling and Service Co.	Tidelands on west side of AKRR ROW and 1 Port leased parcel	12" pipeline	2038-10-11
2003-02	Alaska Botanical Garden, Inc.	3-038; 40; 41; 44; 45; 46	Botanical garden	2058-01-31
2004-05	Catholic Social Services assigned to Cook Inlet Housing Authority	4-021	Brother Francis shelter	2043-02-02
2007-08	Girdwood Parks & Recreation	6-134, 6-076 (portion)	Frisbee Golf Course	2023-12-31
2008-23	The Salvation Army (Clitheroe Center)	4-033B (portion)	Rehabilitation Facility	2023-12-31
2008-06	ACS Easement	4-033A, 4-033B, 4-034	non-exclusive utility easement	2028-04-29
2009-03	SOA/Dept. of Admin. GSA	3-070	Crime Lab	2059-02-28
2009-06	Rupinder Alaska, Inc. (Ramada)	4-013	Ramada parking	2024-03-31
2009-13	Girdwood Valley Service Area	6-057F (portion)	Equipment & materials storage; woodlot	2023-12-31
2011-15	Robert Wolfe dba Snow Free Snowplowing	6-057F (portion)	Equipment and sand materials storage	2023-12-31



<b>Contract Number</b>	<b>Permittee / Lessee</b>	<b>HLB Parcel Number</b>	<b>Permitted Use</b>	<b>Contract End Date</b>
<b>2012-07</b>	Chugach Electric Association Telecom	6-009C	Telecommunication facility lease	2032-01-31
<b>2014-02</b>	Backroads	6-011, 6-251	Hiking/tourism	2023-09-30
<b>2014-09</b>	Chugiak Volunteer Fire & Rescue Lease	1-075	Lease fire station #35	2069-12-31
<b>2015-06</b>	Boys & Girls Clubs of Southcentral Alaska; Woodland Park	4-029	Lease: Operate Boys & Girls Club; Ice Rink Management Agreement	2025-05-31
<b>2015-17</b>	Girdwood Nordic Ski Club	6-251, 6-296	Nordic 5k ski loop	2029-07-29
<b>2016-17</b>	Tesoro Alaska Pipeline Co.	4-033A-E (portion), 4-034 (portion)	Nikiski pipeline	2031-01-29
<b>2016-21</b>	Silverton Mountain Guides	6-011; 64; 66; 67; 68; 69; 70; 73; 74E; 251; 295; 281; 296	Heli-skiing	2024-06-30
<b>2017-04</b>	GEO Contracting, LLC	6-057B	Industrial	2047-03-31
<b>2017-05</b>	GEO Contracting, LLC	6-057C	Industrial	2047-03-31
<b>2017-06</b>	Glacier Creek Storage, LLC	6-057E	Storage	2047-03-31
<b>2017-10</b>	Alaska Railroad Corp.	6-060; 6-074-A; 6-074-B	Avalanche mitigation	2023-12-31
<b>2017-12</b>	FAA	4-033A; 4-043	Runway protection zone	2021-09-30 holdover
<b>2017-29</b>	Chugach Adventure Guides, LLC dba Chugach Powder Guides	6-014, 6-251, 6-281, & 6-295	Sno-Cat, Heli-skiing	2023-05-31
<b>2018-01</b>	ADOT&PF/TSAIA	4-034	Access permit	2023-11-30
<b>2018-10</b>	Chugach Adventure Guides, LLC dba Chugach Powder Guides	6-281	Shelter access	2024-08-31
<b>2018-13</b>	Alaska Guide Collective, LLC	6-011; 66; 67; 68; 69; 251; 295; 281; 296	Recreation	2024-06-30
<b>2019-08</b>	GVSA Street Maintenance	6-022 (portion)	Park & Ride	2023-12-31
<b>2021-01</b>	Alaska Aquaponics	6-057F (portion)	Commercial agriculture	2023-04-30
<b>2021-07</b>	Turnagain Tree Care	6-057F (portion)	Contractor wood lot	2024-02-10
<b>2021-08</b>	AK Seeds of Change	4-046 (portion)	Urban farm and job training	2024-05-04
<b>2021-18</b>	Ridgetop Builders	6-057F (portion)	Wood mill	2024-08-01

<b>Contract Number</b>	<b>Permittee / Lessee</b>	<b>HLB Parcel Number</b>	<b>Permitted Use</b>	<b>Contract End Date</b>
<b>2021-19</b>	Alaskan Sled Dog and Racing Association	3-080	Sled dog racing	2023-10-13
<b>2022-01</b>	Sundog Ski Guides LLC	6-011; 66; 67; 68; 69; 74A; 74B; 251; 295; 281; 296	Backcountry skiing	2023-06-30
<b>2022-02</b>	Girdwood Equipment Rental	6-057F (portion)	Storage	2024-05-31
<b>2022-04</b>	Girdwood Community Land Trust	6-057F (portion)	Storage	2024-02-10
<b>2023-01</b>	Ritual Bough	6-061; 62; 36; 67; 34; 11 (portion)	Ceremonies	2024-01-31
<b>2023-02</b>	Girdwood Community Land Trust	6-076	Land and site planning, surveying etc.	2024-04-06
<b>2023-03</b>	AWWU	6-011 & 6-029 (portions)	Investigative geotechnical	2024-07-15
<b>2023-04</b>	SOA DOT&PF	6-003B&C; 6-306; 6-009A,B&C; 6-004,5,6&7	Wetland delineation	2023-09-30
<b>2023-05</b>	Alyeska Development Holdings, LP and Seth Andersen	6-011 (portion)	Land and site planning, surveying etc.	2023-09-15
<b>2023-06</b>	Spawn Ideas, Inc.	6-251 (portion)	Filming	2023-09-16
<b>2023-07</b>	3 Barons Renaissance Fair, Inc.	3-080 (portion)	Storage	2024-05-31

## Appendix E \*

### Response to Public and Community Council Comments on the Public Review Draft 2024 Annual Work Program & 2025-2029 Five-Year Management Plan

Chapter 1. Heritage Land Bank Overview				
Reference No.		Commenter	Comment	Response
1	Pg.			
2	Pg.			
3	Pg.			
4	Pg.			
5	Pg.			

Chapter 2. 2023 Progress Report				
Reference No.		Commenter	Comment	Response

Chapter 3. 2024 Work Program				
Reference No.		Commenter	Comment	Response

Chapter 4. Five Year Management Plan: 2025-2029				
Reference No.		Commenter	Comment	Response

Appendices				
Reference No.		Commenter	Comment	Response

**MUNICIPALITY OF ANCHORAGE  
HERITAGE LAND BANK ADVISORY COMMISSION**

**HLBAC Resolution 2024-\*\***

**A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF THE 2024 HLB ANNUAL WORK PROGRAM AND 2025-2029 FIVE-YEAR MANAGEMENT PLAN.**

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WHEREAS, pursuant to AMC § 25.40.010, the Heritage Land Bank (HLB), a division of the Municipality of Anchorage's Real Estate Department, was established to manage uncommitted municipal land and the HLB Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan; and

WHEREAS, pursuant to AMC § 25.40.020, the HLB Advisory Commission (HLBAC) shall recommend and submit for assembly action a comprehensive land and fund management program to accomplish the purpose and mission of the HLB, and that such a program shall contain at a minimum such documents as the Five-Year Management Plan and an Annual Work Program; and

WHEREAS, pursuant to AMC § 25.40.020A, the Five-Year Management Plan shall identify those land acquisition, inventory, management, transfer and disposal objectives anticipated during this time frame; and

WHEREAS, pursuant to AMC § 25.40.020B, the Annual Work Program shall conform to the current or proposed Five-Year Management Plan and which includes detailed descriptions of the proposed land acquisitions, inventory, management, transfer and disposal activities of the HLB for the coming year; and

WHEREAS, pursuant to AMC § 25.40.020B, a public notice, as set forth in this chapter, of not less than forty-five (45) days, is required prior to a hearing by the HLBAC on the Annual Work Program; and

WHEREAS, on \*\*\*\*\*, the Public Review Draft of the 2024 HLB Annual Work Program and 2025-2029 Five-Year Management Plan (Work Plan) was posted on the HLB website, the MOA Public Notice website, and an e-mail was sent to Assembly members, all community councils, municipal department heads, and public and private organizations that have subscribed to the HLBAC mailing list; and

WHEREAS, on \*\*\*\*\*, the notice for the \*\*\*\*\* HLBAC public hearing on the Work Plan was posted on the HLB website, the MOA Public Notice website, and an e-mail was sent to



Assembly members, all community councils, municipal department heads, and public and private organizations that have subscribed to the HLBAC mailing list; and

WHEREAS, on \*\*\*\*\*, 2024, the HLBAC held a public hearing on the Work Plan; and

WHEREAS, the Draft 2024 HLB Annual Work Program and 2025-2029 Five-Year Management Plan document complies with the provisions as set forth in AMC § 25.40.020A-C; now, therefore,

**BE IT RESOLVED, THE HLBAC APPROVES THE DRAFT 2024 HLB ANNUAL WORK PROGRAM AND 2025-2029 FIVE-YEAR MANAGEMENT PLAN WITH ANY AND ALL ADOPTED AMENDMENTS.**

**THEREFORE, BE IT FURTHER RESOLVED, THE HLBAC RECOMMENDS THE WORK PLAN FOR CONSIDERATION OF APPROVAL AND ADOPTION BY THE ASSEMBLY.**

PASSED and APPROVED on this, the \*\* day of \*\*\*\*, 2024.

Approved:

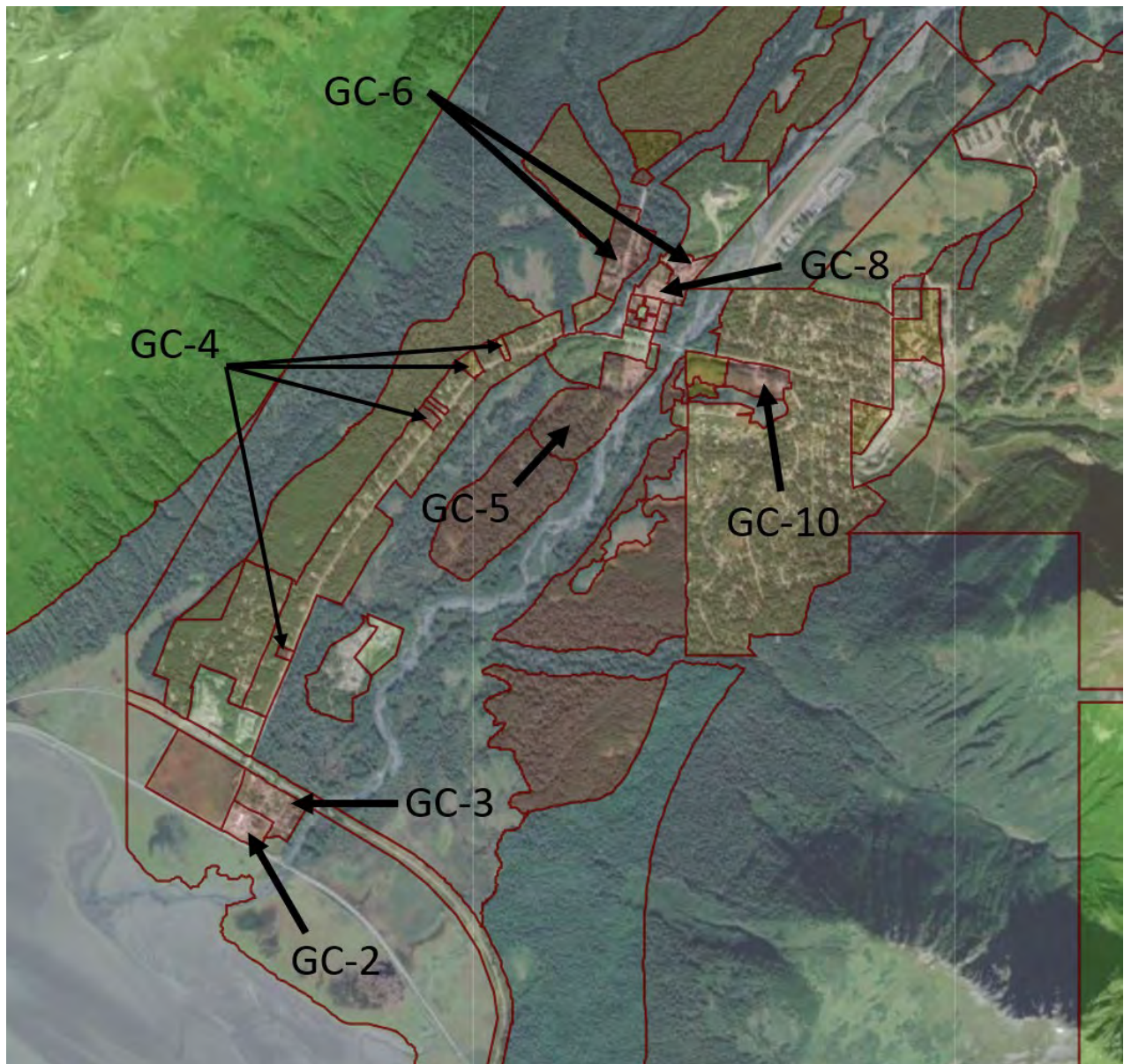
Attest:

---

L. Dean Marshall, MPA, Chair  
Heritage Land Bank Advisory Commission

---

Tiffany Briggs, Director  
Real Estate Department



MOA Interactive zoning map

<https://muniorg.maps.arcgis.com/apps/webappviewer/index.html?id=e7c3d7a43f2e4924b23d36fd1500bb01>



An aerial photograph of a mountain range. The foreground shows a deep valley with a river or stream winding through it. The mountains are rugged and covered in snow or light-colored rock. The sky is clear and blue.

# Temporary Workforce Housing Proposal

Girdwood Land Use Committee – January 8<sup>th</sup> 2024



# Purpose

- Not enough available and affordable housing for working residents
  - Local businesses struggle with recruitment and retention of employees
- Permanent workforce housing requires new construction – 2-3 years away at best
- Let local businesses be part of the solution
  - But current Land Use code puts many restrictions in the way
- Provide a temporary measure to allow flexible housing on commercially zoned land
  - Buys time for new construction and maybe new land use code



# Process

- Concrete proposal to spur discussion about details
  - Gather feedback and concerns
- But Girdwood can't change code
- Next steps:
  - Develop specific code changes based on feedback
- Assembly public process
  - Community & Economic Development Committee meeting(s)
  - May need review through Planning & Zoning Commission
  - Possible work session
  - GBOS (and LUC) review and comments
  - Public Hearing



# Requirements

- Temporarily removes existing restrictions on housing within commercial zones
- Allows much lower-cost solutions:
  - temporary (non-foundation) structures
  - tiny homes
  - modular homes etc.
- Must be used as affordable\* housing for residents – can't be visitor accommodation / second homes
  - \*Cost-limits based on standard Federal definitions
- Administrative site review
  - Provides notice requirements
  - Allows written public comments, but no public hearing



# Some Questions

- Locations and scope
  - Excludes Town Square & Resort areas
  - Allows RVs as well as tiny homes / trailers
- Requirement for safe housing
  - Construction options
  - Sanitary options
  - Address for emergency services
- Enforcement
  - Affidavit at application
  - Use existing complaint-based land use enforcement



## **Amend AMC 21.09 to allow Temporary Workforce Housing on Commercial Land Until Permanent Workforce Housing is Constructed in Girdwood**

*Briana Sullivan, Co-Chair, GBOS*

*Mike Edgington, Housing and Economic Development Supervisor, GBOS*

### **Context**

- There is an increasing unhoused population in Girdwood, most of whom are employed locally and/or have established connections to the community. Some unhoused residents are tent camping, but many are in vehicles and RVs.
- While shelter options in Anchorage can provide an emergency stop-gap, they are not compatible with employment in Girdwood.
- The number of long-term rentals (LTRs) has decreased over the last several years as many have been converted to Short-Term Rentals (STR). According to commercially available data, almost 20% of Girdwood's housing stock was involved in the STR market over the past 12 months compared to a rate of under 1.5% in the rest of the MOA.
- While permanent housing is the long-term solution, Girdwood, unlike Anchorage, does not have a reservoir of underutilized buildings that can be converted quickly to lower-cost housing.
- Constructing new workforce housing is a 2-3 year project even if funding was available.

### **Goals**

1. Establish policy(s) to bridge the current situation until lower-cost housing can come on line (~3 years).
2. Encourage employers to be part of the solution, as the lack of housing affects them directly by limiting the employee pool.
3. Build upon unofficial approaches already underway.
4. Include a sunset trigger mechanism, since temporary housing is not the long-term solution.
5. Limit allowable use to the provision of workforce housing, not for additional visitor accommodation.

### **Proposal**

Key features:

- Amend AMC 21.09 to allow temporary housing units and/or RV use on existing commercially zoned land, if they are used for primary residential occupation.
- Sunset provisions in October 2026, or later when a specific number of new workforce housing units become available.
- Prohibit use as STR and require primary occupation, but also allow tenants to move into permanent housing without penalty.
- Consider lease or ground rent maximum, e.g. affordable at 80% single person AMI



## Implementation details

AMC 21.05.080 already allows “temporary structures” to be occupied when they are on the same parcel as a residential building under construction, so code already allows temporary structures for residents with enough capital resources to own land and fund construction. Conceptually, this policy does the same thing at a community level.

Add a definition for *Temporary Workforce Housing* as a new section in 21.09.050 B.4 (Commercial Uses) to include RVs, cabins without permanent foundations and similar temporary structures, to be used as residential housing.

- Prohibit use as short-term rentals or other visitor accommodations.
- Define “affordable” as no more than 30% of gross income for rent+utilities at 80% of AMI, using individual AMI for studio sized units, and household AMI for larger units.
- If the structure/RV is owned by the resident, then limit ground rent to half the above amounts.
- An affidavit from the land owner, and property manager if applicable, is required

Amend the Use Table (Table 21.09-2) by adding a row for Workforce Housing as a new Use Category and Temporary Workforce Housing as a Use Type under the Commercial section. Enter an “S” for Administrative Site Plan review for the following zones:

**<final list subject to feedback>**

- GC-2 (Old Girdwood by Mall)
- GC-3 (Old Girdwood)
- GC-4 (Alyeska Highway)
- GC-5 (South Townsite)
- GC-6 (Lower Crow Creek Rd)
- GC-8 (Behind Post Office)
- GC-10 (near Brewery)

Add clause into 21.09.050 B.4.f that the allowed use will continue until XX units of permanent workforce housing have received certificates of occupancy, with the earliest expiration on November 1st, 2026.

## Draft code amendment

21.09.050 - Use regulations.

*B. Use-specific definitions and standards.* The following use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to an administrative or major site plan review process, or subject to the conditional use process.

*4. Commercial uses.*

### **f. Temporary Workforce Housing**

#### **i. Definition.**

**ii. Use specific standards**

**iii. Expiration**

DRAFT

Add a new row to Table 21.09-2

		Residential						Commercial										Ind.		Reso rt		Other				
Use Category	Use Type	g R 1	g R 2	g R 2 A	g R 3	g R 4	g R 5	g C 1	g C 2	g C 3	g C 4	g C 5	g C 6	g C 7	g C 8	g C 9	g C 10	g I 1	g I 2	g R S T 1	g R S T 2	G A S	G O S	G W	Definitions and Use Specific Standards	
COMMERCIAL																										
<u>Workforce Housing</u>	<u>Temporary Workforce Housing</u>							<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>										<u>21.09.050</u> <u>B.4.f.</u>

## Concerns / comments heard so far

- Concerns about RV parks along Alyeska Highway
- Commercial land owners might abuse this flexibility
- Concern about
- Could the sunset clause create an incentive for those investing in temporary housing to oppose permanent housing?
- Many businesses with employees don't have commercial land in the identified zones and vice versa
- Should the resort zones be included?
  - GRST1 - Daylodge & Olympic Mountain Loop
  - GRST2 - Hotel area
- How do we ensure that the temporary housing is safe?



## **Girdwood STR Regulation through Land Use - for discussion**

The following notes outline a potential implementation, mostly within AMC 21.09, to regulate STRs in a way that meets GBOS' stated goals. This might be broadly compatible with AO 2023-110. **To be determined**

### **Goals for Girdwood STR regulation**

From GBOS Resolution 2023-26

1. Set requirements on STRs to reduce negative impacts on immediate neighbors, provide a reporting and response mechanism
2. Direct any fees in excess of administrative cost, and taxes where allowed by charter, to a dedicated fund to mitigate the impact of STRs on the local Girdwood housing market
3. Directly or indirectly provide incentives to increase the amount of housing available for long-term rentals as primary-occupancy, and
4. Encourage primary-occupancy of housing in Girdwood by distinguishing between:
  - a. use of primary-occupied residential housing for STRs (either part of the property or for part of the year), and
  - b. use of housing which is not a primary residence for STRs

### **Proposal outline**

#### *Goal 1 - neighborhood concerns*

This would be met by AO 2023-110. While we haven't seen the (S) version, it is probably going to remove the occupancy limit and parking requirement, so may only partly meet goal 1

#### *Goal 2 - funds for mitigation*

Direct the following into GVSA "Housing fund" **<confirm SAP account code>**

- Annual fees in excess of administrative costs for registered STRs within GVSA
- Two-thirds of the room tax generated by STRs operating within GVSA
  - A 4% room tax is mandated by Anchorage Charter to fund the capital and operating costs of the convention center
  - Room tax is currently set at 12% of taxable use
- Annual permit fees in excess of administrative costs for registered commercial STRs within GVSA

#### *Goal 4 - distinguish residential use vs commercial use with additional regulation for commercial use*

#### *Goal 3 - incentivize long-term rentals*

Define two types of STR use into Girdwood Land Use code, a commercial use and a residential accessory use.

- When housing is an occupied primary residence, ie. either owner-occupied or *renter-occupied* (hence addressing Goal 3) for most of the year, units can have a

residential accessory STR use. (See implementation details below for dealing with multiple units on a parcel.)

- Otherwise an STR would be a commercial STR use.
  - A permit is required for commercial STRs, with an additional fee.
  - There may be other restrictions such as a cap on the number of permits.

## Implementation Notes

Use of tax, license and permit funds. **Still researching what code changes are required for directing funds for a purpose.**

Title 14 changes for enforcement and penalties **Work in progress.**

Title 21 changes to Girdwood Land Use code

- a) Commercial STR use
  - Amend AMC 21.09.050 B.4 (Commercial use)
    - Add paragraph for Commercial Short-Term Rental - analogous to Hostel for non-occupied residential housing
    - Requires a commercial STR permit in addition to license.
      - [Optional] Set a maximum number of permits, adjusted annually based on occupied housing supply.
        - When there are more applications than permits, use a lottery.
      - [Optional] ADUs can not be used as commercial STRs
  - Amend Table 21.09-2: Table of Allowed Uses
    - Under “Commercial section”, Use Category “Visitor Accommodations”, Use Type “Commercial STR” - add “S” when there is a “P” in the same zone for either “residential living, single family” or “residential living, mixed use” rows
- b) Accessory residential use
  - Amend AMC 21.09.050 C.2 (Accessory uses)
    - Add accessory use of Accessory Short-Term Rental as an accessory use of an \*occupied\* residential unit
  - Amend Table 21.09-3: Table of Accessory Uses
    - Add row for Residential STRs to mirror ADU row
- c) Define “occupied primary residence” at the parcel level (since exemptions are per parcel)
  - *Owner-occupancy*
    - Claiming the residential real property exemption (AMC 12.15.015 E.1) is *prima-facie* evidence of occupied primary residence
    - During first year of ownership only, sworn affidavit that the occupancy conditions of AMC 12.15.015 E.1 will be met

- *Renter-occupancy*
  - Lease 50% or more of legal conforming or legal non-conforming units on the parcel under one or more leases of at least 120 days duration, and
  - Average length of leased period per unit is 180 days or more, and
  - Property is the primary residence of tenants (analogous to real property exemption)

Girdwood Housing and Economic Committee  
Resolution 2023-02

A resolution of Girdwood Housing and Economic Committee in response to AO 2023-110, advising GBOS to pursue regulatory dispensation for the Girdwood area by modification of the proposed Short Term Rental regulation in Title 10 and adding a zoning overlay district to Title 21, Chapter 9, that describes the entire Girdwood Valley, including all zoning definitions therein.

Whereas:

- Short Term Rentals (STR) are a necessary activity of and an integral part of a resort community like Girdwood
- Girdwood Housing and Economic Committee is looking for solutions that result in mitigation of the impact that STR activity has on available workforce housing
- There is approximately \$13M in STR activity in Girdwood annually
- The Anchorage Assembly is debating implementing Municipal wide regulations for Short Term Rentals in the proposed AO 2023-110
- The Girdwood STR market is substantially different than that of the city of Anchorage
- The goals of the Anchorage Assembly for STR regulations do not address the needs or goals of Girdwood
- Girdwood has a low primary occupancy rate, with 25% of the residential properties used as primary residence and 75% non-primary residence used as STR or left vacant
- The proposed Municipal STR regulations will be detrimental to Girdwood if implemented as written
- It has already been suggested by the proposing Assembly members that the Municipal STR regulations be applied differently to Girdwood because of the unique STR market and realities of being a resort town
- There are 29 zoning districts defined for Girdwood in Title 21, Chapter 9
- The Municipality of Anchorage allows a path to define a zoning overlay within the Girdwood district, as defined in AMC 21.03.160.H

Therefore let it be resolved that GHEC advises GBOS to fully pursue the implementation of the following mechanisms to ensure continuation of Girdwood's economic activity while addressing the impacts of STRs on workforce housing:

1. Work with the Assembly to modify AO 2023-110 to describe in the Title 10 language, a special "carve-out" designation where Girdwood defines service area specific regulations, fees, and other aspects of STR regulation and activity that is structured to meet local service area needs and stated goals of GBOS;
  - a. Method to deal with impact on the neighbors (noise, people, parking)
  - b. Incentivize long term rental
  - c. Mechanism to provide funds to be used to relieve workforce housing crisis in Girdwood
  - d. It is specifically noted that the goal is NOT to make hurdles for residents using property for Short Term Rental
2. A zoning change under AMC 21.03.160 that would describe the entire Girdwood valley, as defined in AMC 21.09.020.E, with a zoning overlay district. This action may be initiated by the Assembly, the Planning and Zoning Commission, or the Administration, by a request from GBOS.
  - a. Use the Girdwood zoning overlay district to define general area-wide provisions that describe use, such as STRs and ADUs.



- b. Describe other general design standard deviations from Title 21 requirements for development in Girdwood; building height, streets, sidewalks, lighting.
  - c. Define allowed, seasonal, and temporary gravel borrow operations as a unique land use activity within the zoning overlay district
  - d. Describe the area's unique characteristics that are to be maintained, land use that is to be encouraged, and development that is suited for the local area
3. Prepare to fund a part-time service area employee authorization or to contract with the Municipality to administer the STR registrations and/or other housing service area incentive programs.

Passed and approved by GHEC by a vote of 5 of 0 on this 27<sup>th</sup> day of December 2023.

*B Wilbanks*

Brett Wilbanks, GHEC Chair

**From:** [Debra Rice](#)  
**To:** [Tyler, Margaret S.](#)  
**Subject:** Re: LUC January 2024 Regular Meeting, Agenda Item LUC 2311-05  
**Date:** Friday, January 5, 2024 2:17:48 AM

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**[EXTERNAL EMAIL]**

Hi Margaret, will you please distribute this email to members of GLUC and GBOS?  
Thank you so much,  
Deb Rice

To : Members of Girdwood Land Use Committee and Girdwood Board of Supervisors  
In Regards to:

Agenda Item LUC 2311-05: Update on status of GHEC proposed study of South Townsite for relocation of the soccer field and study of repurposing the existing soccer field and adjacent land as a potential site for workforce housing.

My family and I live near the Soccer Field and adjacent parkland. We strongly oppose rezoning of this designated Parkland for any other purpose. This property is well used and highly valued by the people of Girdwood and visitors as well. Parks are important resources in a community and should be preserved as such. This area should not be turned into housing.

Sincerely,  
Debra and Kim Rice  
Girdwood Residents

Sent from my iPad



**LAID-ON-THE-TABLE**

Submitted by: Assembly Vice Chair Zaletel  
Prepared by: Assembly Counsel's Office  
For Reading:

**ANCHORAGE, ALASKA  
AO NO. 2023-\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE COMPETITIVE DISPOSAL OF PORTIONS OF HERITAGE LAND BANK PARCELS 6-011, 6-016, AND 6-017, LEGALLY DESCRIBED AS TRACT I PRINCE ADDITION ALYESKA SUBDIVISION (PLAT 87-131)(PID 075-311-04-000), TRACT B GIRDWOOD ELEMENTARY SCHOOL SUBDIVISION (PLAT 85-38)(PID 075-031-32-000), AND TRACT 9A SECTION 9 TOWNSHIP 10 NORTH RANGE 2 EAST (PLAT 73-220)(PID 075-041-31-000), TO CY INVESTMENTS LLC AS DESCRIBED IN THE DEVELOPMENT AGREEMENT BETWEEN THE DEVELOPER AND THE MUNICIPALITY OF ANCHORAGE DATED APRIL 29, 2022, AND AMEND THE HERITAGE LAND BANK 2021 ANNUAL WORK PROGRAM.**

---

**WHEREAS**, the Municipality of Anchorage (MOA) proposes the disposal of portions of Heritage Land Bank (HLB) Parcels 6-011, 6-016, and 6-017, legally described as Tract I Prince Addition Alyeska Subdivision (Plat 87-131)(PID 075-311-04-000), Tract B Girdwood Elementary School Subdivision (Plat 85-38)(PID 075-031-32-000), and Tract 9A Section 9 Township 10 North Range 2 East (Plat 73-220)(PID 075-041-31-000), To CY Investments LLC as described in the Development Agreement between the developer and the Municipality of Anchorage Dated April 29, 2022, and amend the HLB 2023 Annual Work Program; and

**WHEREAS**, HLB issued a Request for Proposals on April 6, 2021 for the development of portions of three parcels in Girdwood commonly known as Holtan Hills with the intent to provide housing; and

**WHEREAS**, HLB obtained an appraisal on December 18, 2021 where the developed area was estimated to have a market value of two million one hundred thousand dollars (\$2,100,000); and

**WHEREAS**, the successful proposer was identified, and a Development Agreement was drafted and entered on April 29, 2022 between the MOA and the Developer; and

**WHEREAS**, the disposal will continue to implement residential housing identified in the 1995 Girdwood Area Plan and the 2006 Crow Creek Neighborhood Plan; and

**WHEREAS**, this disposal will occur according to the terms of the Development Agreement entered into by the Municipality of Anchorage and CY Investments, LLC including equal distribution of net proceeds of lot sales; and

1 **WHEREAS**, this disposal will occur over three phases and is intended to take the  
2 form of a Planned Unit Development, affording the development a mixed-density  
3 model which will allow single-family, multi-family, and condo-type construction by  
4 the ultimate purchasers, thereby addressing several areas of housing needs in the  
5 community; and

6  
7 **WHEREAS**, the disposal over three phases is for 16.1 acres for Phase 1, 17.1 acres  
8 for Phase 2, and 27.2 acres for Phase III, for a total of 60.4 acres of portions of HLB  
9 Parcels 6-011, 6-016, and 6-017; and

10  
11 **WHEREAS**, a Planned Unit Development (PUD), which can allow for greater density  
12 than current zoning would allow, requires a Conditional Use Permit approved by the  
13 Planning and Zoning Commission; and

14  
15 **WHEREAS**, Phase 1 of the proposed Holtan Hills Planned Unit Development will  
16 propose to have single-family, multi-family, and condo-type units; and

17  
18 **WHEREAS**, the completed development will include infrastructure comprised of  
19 roads and utilities that will extend to Crow Creek Road creating a second point of  
20 egress for the neighborhood and creating the opportunity for development of lands  
21 west of Crow Creek Road with utilities in the future; and

22  
23 **WHEREAS**, development of municipal lands through a public-private partnership  
24 offers an opportunity for greater public benefit by meeting the community's goals in  
25 ways not typically feasible with a private development; and

26  
27 **WHEREAS**, HLB and the Community of Girdwood have committed to work together  
28 to identify and apply for available State and Federal funding to develop secondary  
29 access on Crow Creek Road to the Holtan Hills development; and

30  
31 **WHEREAS**, AWWU has sought a grant to cover the infrastructure costs of sewer to  
32 the parcels, which will reduce the development costs for offsite improvements; and

33  
34 **WHEREAS**, the infrastructure development, including roads and utilities will attach  
35 to all parcels in Phase 1, including any lots subject to future conveyance to a  
36 Girdwood housing entity for the development of housing; and

37  
38 **WHEREAS**, to meet the housing needs in Girdwood, the development of housing  
39 that is at least 50% occupied as primary residences whether owner occupied or  
40 leased on a five-month to yearly basis should be prioritized; and

41  
42 **WHEREAS**, Girdwood has an estimated immediate need to add at least 150-300  
43 units of year-round permanent housing for residents to its inventory and this demand  
44 will be updated through the Girdwood Area Plan that is underway; and

45



1 **WHEREAS**, many concerns have been expressed by the residents that the addition  
2 of more residents will increase the burden on the infrastructure and services  
3 available within Girdwood; and  
4

5 **WHEREAS**, HLB is the primary owner of developable land within Girdwood for  
6 housing, industrial and commercial uses. HLB's Work Plan which is due for updating  
7 should be developed concurrently and in coordination with the Girdwood Area Plan  
8 that is also underway specifically in addressing housing, commercial and  
9 infrastructure needs for the community; and  
10

11 **WHEREAS**, the Assembly finds that the Girdwood community recognizes that while  
12 there will be opportunity for public involvement during the entitlement process (i.e.,  
13 conditional use permit and planned unit development) where public feedback can  
14 help shape density requirements, the Girdwood community seeks assurance that  
15 this development will provide some relief to the housing pressures experienced by  
16 current and future full-time residents of Girdwood, specifically by providing more  
17 stable long-term rental property and more attainable housing to those at 120 percent  
18 and below area median incomes; and  
19

20 **WHEREAS**, the land development costs are not typically recouped by the developer  
21 until such time as the lots are sold and/or housing units constructed and sold; and  
22

23 **WHEREAS**, in the Development Agreement, CY Investments LLC has a duty to act  
24 as Declarant of the homeowners' association for the Project; and  
25

26 **WHEREAS**, as Declarant for the homeowners' association, CY Investments LLC  
27 can set the terms of the planned community through the declaration, and of the  
28 homeowners' association through the founding bylaws, including any restrictions on  
29 short term rentals, percentage required to approve changes to the homeowners'  
30 association bylaws, as well as the time period in which the developer shall transfer  
31 control of the homeowners' association to the individual owners and any rights  
32 retained, and all terms must be approved by HLB; and  
33

34 **WHEREAS**, the return on investment to the HLB Fund will be deferred but likely  
35 significant, leading to the long-term health of the Fund; and  
36

37 **WHEREAS**, this land disposal commits approximately 22% of the suitable  
38 residential developable land in Girdwood to the Holtan Hills development (2022  
39 Existing Conditions Report by Huddle AK and Agnew::Beck); and  
40

41 **WHEREAS**, the Assembly finds that a public commitment by the Municipality to  
42 improved communication and transparency, as well as a return on investment that  
43 considers the specific benefit to the Girdwood community as part of the calculation  
44 of the benefit for the Municipality as a whole, would be beneficial to the public  
45 interest; and  
46

1 **WHEREAS**, the Assembly finds that as a resort community, Girdwood faces high  
2 external housing demand and has seen a drastic increase in short term rentals in  
3 the last 10 years, making it challenging for year-round residents of Girdwood to  
4 obtain housing, and raising concerns among residents that the character of this  
5 beloved and close-knit community will be lost as community members, especially  
6 working and middle class families, will be increasingly priced out of the housing  
7 market; and

8  
9 **WHEREAS**, the projected profits of two Phases of the Holtan Hills development for  
10 HLB are estimated at approximately \$1.2 Million and likely additional profits in Phase  
11 3 that are not yet identified, those profits should be reinvested in further  
12 development of attainable housing in Girdwood; and

13  
14 **WHEREAS**, the housing developed from Holtan Hills will contribute to the overall  
15 property tax base of the Girdwood Valley Service Area; and

16  
17 **WHEREAS**, return on investments by HLB should not be viewed in strictly monetary  
18 terms, but overall benefit to the Municipality of Anchorage; and

19  
20 **WHEREAS**, the proposed disposal of portions of HLB Parcel 6-011 is not in the  
21 *2023 HLB Annual Work Program (AR 2023-235, As Amended)*, pursuant to AMC §  
22 25.40.020B, to proceed with the disposal, the *2023 HLB Annual Work Program* must  
23 be amended; and

24  
25 **WHEREAS**, following required public noticing, the HLB Advisory Commission  
26 (HLBAC) held a public hearing and passed HLBAC Resolution 2022-09(S),  
27 recommending the disposal of portions of HLB Parcels 6-011, 6-016, and 6-017,  
28 legally described as Tract I Prince Addition Alyeska Subdivision (Plat 87-131)(PID  
29 075-311-04-000), Tract B Girdwood Elementary School Subdivision (Plat 85-  
30 38)(PID 075-031-32-000), and Tract 9A Section 9 Township 10 North Range 2 East  
31 (Plat 73-220)(PID 075-041-31-000), to CY Investments, LLC as described in the  
32 Development Agreement between the developer and the Municipality of Anchorage  
33 Dated April 29, 2022, and amend the HLB 2021 Annual Work Program; now,  
34 therefore,

35  
36 **THE ANCHORAGE ASSEMBLY ORDAINS:**

37  
38 **Section 1.** The MOA is hereby authorized to execute disposal of portions of HLB  
39 Parcels 6-011, 6-016, and 6-017, legally described as Tract I Prince Addition  
40 Alyeska Subdivision (Plat 87-131)(PID 075-311-04-000), Tract B Girdwood  
41 Elementary School Subdivision (Plat 85-38)(PID 075-031-32-000), and Tract 9A  
42 Section 9 Township 10 North Range 2 East (Plat 73-220)(PID 075-041-31-000), to  
43 CY Investments, LLC as described in the Development Agreement dated April 29,  
44 2022.

45  
46 The following terms shall attach to any conveyance of these parcels as well as be  
47 included in the Development Agreement:

1  
2 A. CY Investments LLC will restrict the use of single-family properties  
3 built in Holtan Hills, Phase 1, to prohibit short-term rentals (less than  
4 30 days in duration) except for rental of an Accessory Dwelling Unit  
5 (ADU) on the property, through the homeowners' association bylaws;  
6 which shall further provide that, until such time as the Municipality  
7 adopts an ordinance, applicable to properties in the homeowners'  
8 association, otherwise regulating short-term rentals, this specific  
9 restriction may be amended only by 100% unanimous approval of all  
10 parties entitled to vote on proposed amendments to the homeowners'  
11 association's bylaws; and  
12

13 B. The above restriction and amendment vote requirement shall be  
14 included with the initial Declaration recorded by the Developer after  
15 approval of HLB and shall not be changed except by unit owners after  
16 formation of the homeowners' association and transfer of rights to it.  
17

18 This Assembly approval requires and is conditioned upon the agreement by the  
19 Developer to the following terms and conditions:  
20

21 C. All developers must submit applications for land use entitlements to  
22 the Girdwood Board of Supervisors (GBOS) for review prior to seeking  
23 official action by the designated decision-making body; and  
24

25 D. At least one multi-family lot for the development of at least 8 units to  
26 be drawn from HLB's portion of profits will be designated for future  
27 disposal to a Girdwood housing trust or non-profit entity for the  
28 purposes of developing community housing for residents, if and only  
29 if a housing trust or entity is established which can legally receive and  
30 own property, and if and only if the housing trust or entity is  
31 established within five years of the recording of the plat for Phase 1 of  
32 Holtan Hills Subdivision and upon approval of the Conditional Use  
33 Permit for the Residential Planned Unit Development. Otherwise, the  
34 multi-family lot reverts to Heritage Land Bank ownership; and  
35

36 E. CY Investments LLC and HLB will continue to engage with the  
37 Girdwood Board of Supervisors or delegated committee as the project  
38 progresses; and  
39

40 F. CY Investments LLC will develop Holtan Hills through the Conditional  
41 Use Permit for a Residential Planned Unit Development and will  
42 request approval to exceed the allowable density for the gR-3 zoning  
43 district as part of this process; and  
44

45 The above terms are required for legal disposal of parcels in this Ordinance.  
46 Conveyance is subject to the agreement of the Developer to comply with the terms  
47 of this resolution.

**Section 2.** Within 45 days of passage of this ordinance, and concurrent with the ongoing development, HLB and GBOS shall identify and mutually agree on and pay for engagement of a third party to liaise between HLB and GBOS until such time as HLB has a newly appointed and confirmed HLB director that has been in the position for at least six months.

**Section 3.** Within 30 days of the close of the sale, HLB staff shall provide an update to the Assembly through an informational memorandum.

**Section 4.** The Municipality's intent for this development in all phases, is to provide community housing opportunities attainable for year-round residents of Girdwood.

**Section 5.** HLB, in consultation with GBOS or a committee it designates, shall work to identify available State and Federal funding to develop a secondary access on Crow Creek Road to the Holtan Hills development.

**Section 6.** Pursuant to AMC § 25.40.020B, this ordinance hereby amends the *2023 HLB Annual Work Program* to include this disposal under the terms stated herein.

**Section 7.** This Ordinance shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

**LAI-ON-THE-TABLE**  
**MUNICIPALITY OF ANCHORAGE**



**ASSEMBLY MEMORANDUM**

No. AM \_\_\_\_-2023

Meeting Date: December 19, 2023

**From: Assembly Vice Chair Zaletel**

**Subject: AN ORDINANCE AUTHORIZING THE COMPETITIVE DISPOSAL OF PORTIONS OF HERITAGE LAND BANK PARCELS 6-011, 6-016, AND 6-017, LEGALLY DESCRIBED AS TRACT I PRINCE ADDITION ALYESKA SUBDIVISION (PLAT 87-131)(PID 075-311-04-000), TRACT B GIRDWOOD ELEMENTARY SCHOOL SUBDIVISION (PLAT 85-38)(PID 075-031-32-000), AND TRACT 9A SECTION 9 TOWNSHIP 10 NORTH RANGE 2 EAST (PLAT 73-220)(PID 075-041-31-000), TO CY INVESTMENTS LLC AS DESCRIBED IN THE DEVELOPMENT AGREEMENT BETWEEN THE DEVELOPER AND THE MUNICIPALITY OF ANCHORAGE DATED APRIL 29, 2022, AND AMEND THE HERITAGE LAND BANK 2021 ANNUAL WORK PROGRAM.**

This ordinance authorizes the Municipality to execute the competitive disposal of portions of Heritage Land Bank (HLB) Parcels 6-011, 6-016, and 6-017, legally described as Tract I Prince Addition Alyeska Subdivision (Plat 87-131)(PID 075-311-04-000), Tract B Girdwood Elementary School Subdivision (Plat 85-38)(PID 075-031-32-000), and Tract 9a Section 9 Township 10 North Range 2 East (Plat 73-220)(PID 075-041-31-000), to CY Investments, LLC as described in the Development Agreement between the developer and the Municipality of Anchorage dated April 29, 2022, and to amend the 2021 HLB Annual Work Program.

This proposed disposal of public land was originally introduced in November of 2022 as AO 2022-103. On February 7, 2023, after much deliberation, the Assembly took up this matter in the form of AO 2022-103(S-2) and voted to postpone action on that item indefinitely. This ordinance reintroduces this proposal incorporating all of the changes proposed by the S-2.

**I request your support for the ordinance.**

Reviewed by: Assembly Counsel's Office

Respectfully submitted: Meg Zaletel, Assembly Vice Chair  
District 4, Midtown



Dec 20, 2022  
AO 2022-103 (S-1)

Pg 1 Line 24

Amend the HLB 2021 Annual Work Program; and

Line 38-39 *same*

1995 Girdwood Area Plan and 2006 Crow Creek Neighborhood Plan; and

Pg 3 Line 12-14 *same*

There will be opportunity for public involvement during the entitlement process (i.e., conditional use permit and planned unit development) where public feedback can help shape density requirements

Pg 4 Line 16

2021 HLB Annual Work Program (AR 2021-25) ... 2021 HLB

Line 28 *same*

HLB 2021 Annual Work Program

Pg 5 D. Line 31

... and if and only if the housing trust or entity is established within five years of the recording of the plat for Phase I of Holtan Hills Subdivision entitlements being complete on the parcels. Otherwise, the multi-family lot reverts to Heritage Land Bank ownership; and

E. (should be F)

CY Investments LLC will develop Holtan Hills through the Planned Unit Development and Conditional Use Permit process that must exceed the density of what current underlying zoning - single family zoning (gR3) - permits; and

Pg 6 Section 2. Line 4

...ordinance, HLB and GBOS shall identify and mutually agree on engagement of a third party to liaise between HLB and the Girdwood community until such time as HLB has a newly appointed and confirmed HLB director that has been in the position for at least six months

Section 5. Line 17-20

HLB, in consultation with GBOS or a committee it designates, shall work to identify and apply for available state and federal funding to develop a secondary access on Crow Creek Road to the Holtan Hills development.

Section 6. Line 23

Hereby amends the 2021 HLB Annual Work Program

Section 7. Line 30

\_\_\_\_\_ 2022

Dec 19, 2023

AO 2023- \_\_\_\_\_

Pg 1 Line 20

Amend the HLB 2023 Annual Work Program; and

Line 34-35 *same*

1995 Girdwood Area Plan and 2006 Crow Creek Neighborhood Plan; and

**+ New**

**Pg 2 Line 6-10**

**Whereas the disposal over three phases is for 16.1 acres for Phase 1, 17.1 acres for Phase 2, and 27.2 acres for Phase III, for a total of 60.4 acres of portions of HLB parcels 6-011, 6-016, and 6-017; and**

Pg 3 Line 6-8 *same*

There will be opportunity for public involvement during the entitlement process (i.e., conditional use permit and planned unit development) where public feedback can help shape density requirements

Pg 4 Line 21

2023 HLB Annual Work Program (AR 2023-235, As amended) ... 2023 HLB

Line 33 *same*

HLB 2021 Annual Work Program

Pg 5 D. Line 32

...and if and only if the housing trust or entity is established within five years of the recording of the plat for Phase 1 of Holtan Hills Subdivision and upon approval of the Conditional Use Permit for the Residential Planned Unit Development. Otherwise, the multi-family lot reverts to Heritage Land Bank ownership; and

F.

CY Investments LLC will develop Holtan Hills through the Conditional Use Permit for a Residential Planned Unit Development and will request approval to exceed the allowable density for the gR-3 zoning district as part of this process; and

Pg 6 Section 2. Line 2

...ordinance, and concurrent with the ongoing development, HLB and GBOS shall identify and mutually agree on and pay for engagement of a third party to liaise between HLB and GBOS until such time as HLB has a newly appointed and confirmed HLB director that has been in the position for at least six months.

Section 5. Line 15-17

HLB, in consultation with GBOS or a committee it designates, shall work to identify available State and Federal funding to develop a secondary access on Crow Creek Road to the Holtan Hills development.

Section 6. Line 20

Hereby amends the 2023 HLB Annual Work Program

Section 7. Line 27

\_\_\_\_\_ 2024

# Municipality of Anchorage



P.O. Box 390  
Girdwood, Alaska 99587  
<http://www.muni.org/gbos>  
**David Bronson, Mayor**

**GIRDWOOD VALLEY SERVICE AREA BOARD OF SUPERVISORS**  
*Mike Edgington and Briana Sullivan, Co-Chairs*  
*Jennifer Wingard, Amanda Sassi, Guy Wade*

## Resolution 2023-04 Of the Girdwood Board of Supervisors

### **RESOLUTION RECOMMENDING ASSEMBLY REJECTION OF THE LAND DISPOSAL OF PORTIONS OF HERITAGE LAND BANK PARCELS 6-011, 6-016 AND 6-017, KNOWN AS HOLTAN HILLS, AS DESCRIBED IN AO 2022-103(S-2)**

WHEREAS, in April 2022 HLB and CY Investments entered into a Development Agreement for joint development of the parcels 6-011, 6-016 and 6-017, known as the Holtan Hills project; and

WHEREAS the GBOS and the community of Girdwood appreciate the extensive work that has gone into the S-1 and S-2 versions of the Ordinance, the acknowledgement of Girdwood's housing crisis, the recognition that HLB should assess "value" to the Municipality beyond financial return, and the inclusion of other statements helpful in establishing a formal record of the Girdwood community's longer-term goals for housing development; and

WHEREAS, the proposed development is based on a Girdwood Area Plan from 1995 and also the 2006 Crow Creek Neighborhood Land Use Plan, both of which are significantly outdated and neither one of which sufficiently address Girdwood's current housing crisis; and

WHEREAS, the Girdwood Area Plan is currently being updated as the Girdwood Comprehensive Plan, with final draft anticipated in early Fall 2023; and the updated plan will address housing as one of four priority areas representing the vision and values of the community; and

WHEREAS, the publicly available financial information and projections for the Holtan Hills project are limited and incomplete, requested updated financial information has not been provided by HLB, and the relatively low land appraisal compared to other undeveloped Girdwood Valley land has not been adequately justified; and

WHEREAS, despite multiple requests from the Girdwood Board of Supervisors (GBOS) and others, major questions remain unanswered by HLB about the process leading up to and following the signing of the development agreement, including: 1) the ability of HLB to enter into joint ventures when not included in statute; 2) full financial picture consisting of financials for Phase 3, as well as income statements, balance sheets and cash flow statements inclusive of estimates of offsite improvements (and thus the value of CY Investment's sole source project management fee); 3) debt financing including potential risks for HLB and the Municipality of Anchorage; 4) the change in development partners between the awarding of the RFP and development agreement; 5) consideration of alternatives to the chosen development structure; 6) determination that the 2006 Crow Creek Neighborhood Land Use Plan satisfied the code requirement for a project-specific Area Master Plan although the legal determination was withheld; and



WHEREAS, GBOS' previous Resolutions [2022-14](#) and [2022-23](#), [June 22, 2022 Letter to MOA/HLB](#) and [Letter of Objection to AO 2022-103 & AO 2022-103\(S\)](#) have clearly stated that the project in its current form is not accepted by the Girdwood community; and

WHEREAS, based on the limited financial information provided, there is scant evidence that HLB conducted an appropriate level of financial due diligence to determine if the project represents a sound investment of Municipal resources, and potentially exposes the Municipality to substantial financial liabilities; and

WHEREAS, no version of the disposal ordinance guarantees that housing is produced through this land disposal, nor that a substantial proportion of dwellings will be occupied by residents of the community, nor that the housing needs of Girdwood are met in any substantive way; and

WHEREAS, after selection of the winning proposal, GBOS passed Resolution [2021-18](#), in August 2021 urging HLB to prioritize the need for community housing in Girdwood that was attainable and affordable to the working population of the community; and

WHEREAS, after the development agreement was made publicly available in May 2022, GBOS engaged with the developer and HLB, forming the Holtan Hills Housing Advisory Committee (HHHAC) to summarize Girdwood's concerns, develop a short-list of actionable changes to the project and present them to HLB and the developer; and

WHEREAS, HLB submitted the original AO 2022-103 on November 8, 2022 with no acknowledgement of the community concerns nor response to any changes requested by GBOS based on work by HHHAC; and

WHEREAS, through community meetings, joint meetings with the Girdwood Land Use Committee, and three Assembly Work Sessions, the Girdwood Board of Supervisors has determined that the Holtan Hills project, as originally proposed and under the conditions of AO 2022-103(S-2), devotes public lands to a project which does not provide adequate benefit to Girdwood's need for community housing, nor represents adequate financial return to the citizens of Anchorage; and

THEREFORE GBOS urges Assembly members to reject the Holtan Hills land disposal.

THEREFORE FURTHER, GBOS requests that any future disposal of these HLB lands requires a project-specific Area Master Plan completed before any development commences.

PASSED AND APPROVED by a vote of 5 to 0 this 6th day of February 2023.



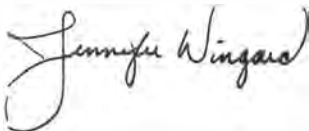
Mike Edgington  
GBOS Co-chair



Briana Sullivan  
GBOS Co-chair



Guy Wade



Jennifer Wingard



Amanda Sassi