

Airport Parking Report

5/23/2017

The Petersburg Planning & Zoning Committee is requesting for the Petersburg Borough to enter into a lease for the property in the red box below for the purpose of constructing another long term parking lot at the Petersburg Airport. Alaska Administrative code 17 AAC 45.130 allows the airport to lease property to a municipality for free as long as the use is in direct support of airport activities. The Planning committee believes additional parking meets this definition. The committee is also confident that a parking lot can be constructed in this area for zero cost to the borough.



For reference the dimensions of the box are 400 ft x 230 ft. Imagery is from 2016 and shows the final location of the bike path.

History:

This is an excerpt from the meeting minutes of the February Planning & Zoning meeting:

Commissioner Burke spoke on this issue as he requested it to be on the agenda. Burke stated that about the first of the year he was working with the State on another, unrelated issue through his work and he got ahold of the person in charge of airport property leasing. Her name is Lynette Campbell and he had a conversation with her regarding getting additional property up by the airport for parking. Ms. Campbell send Burke the statute codes regarding the Borough leasing property from the State for a parking area. According to these documents, the State could, theoretically, lease the property across the street from the airport terminal to the Borough for free since it is in compliance with an airport operations code. Burke admitted he was not sure how to proceed with this but would like to see this go before the Assembly. Discussion. Kensinger suggested that some research be done to find out how much it would cost to have a rock pad parking lot. Discussion. Commissioner Burke stated he would look into cost evaluations. Burke requested that this discussion continue at the next meeting.

This is an excerpt from the meeting minutes of the April Planning & Zoning meeting:

Commissioner Burke spoke, following up on the request for more information on the proposed parking area up across the street from the Airport. Burke reported that right now, there is approximately room for 35 cars parking long-term at the airport. Also, received an estimate for \$55,000.00 to \$65,000.00 for the construction of a parking lot in the area previously discussed. Commissioner Fry asked how big of a lot that would be and Burke responded that it would be approximately 150' x 300' which would add room for approximately 35 additional spaces. Discussion. The Commission is in agreement that there are multiple sources for funding this project, but that this project would require Borough Assembly approval. Discussion. Multiple avenues of funding were discussed. It was suggested that this topic be added as an action item on the next agenda.

Airport parking was included as an action item on the 5/16/2017 agenda for P&Z. There was some discussion and ultimately the committee voted unanimously to ask the assembly to acquire a lease the property across the street from the Alaska Airlines terminal for the purpose of constructing a parking lot.

On 5/19/2017 Mr. Burke met with Carl Hagerman. There are some concerns with the water line in the vicinity, but nothing that cannot be overcome.

- (3) fuel carried to an airport aboard an aircraft if off-loaded to or in a storage or transport container for use only off the airport.
- (p) A person required to hold a business activity permit under 17 AAC 45.105 on an airport shall pay a non-refundable annual permit fee of \$550.
- (q) An appraisal for purposes of this section must be performed by a person who is certified under AS 08.87 as a general real estate appraiser. The department may establish written instructions for the appraiser that are reasonable and consistent with generally accepted real estate appraisal practices.
- (r) Unless otherwise provided in this chapter, all fees, including an application fee for a lease, permit, or concession under this chapter, are non-refundable.
- (s) The department may charge an applicant, bidder, or proposer under this chapter a reasonable amount calculated to cover the cost of reproduction, printing, mailing, and distribution of relevant contract and solicitation documents.
- (t) The rental rate for any portion of an area specifically designated under 17 AAC 45.020(c), 17 AAC 45.135, 17 AAC 45.140, or 17 AAC 45.145 for aeronautical or non-aeronautical land use may not be lower than the rate applicable to the class of use for which the land is designated. The provisions of this subsection apply regardless of authorized or actual use under the lease, unless, when aeronautical use land is not available, the department approves aeronautical use for land designated for non-aeronautical use. In these circumstances, the department may charge the rental rate for aeronautical use even if lower than the rental rate for the designated use.
- (u) For purposes of this section, "public utility" means an entity that provides sewer, water, or electrical services that are available to all persons located within the area in which those services are provided.

History: Eff. 3/28/2002, Register 161; am 11/23/2003, Register 168; am 3/22/2008, Register 185; am 6/16/2008 – 10/13/2008, Register 187; am 4/23/2009, Register 190; 4/4/2013, Register 206; am 3/20/2016, Register 217

Authority: AS 02.15.020 AS 02.15.070 AS 44.42.020 AS 02.15.060 AS 02.15.090

17 AAC 45.130. Waiver of rents or fees.

Except when awarding a lease, permit, or concession under 17 AAC 45.300 - 17 AAC 45.399, if the commissioner determines that it is in the best interest of the state to do so, the commissioner will waive or reduce the charge, rent, or fee for

- (1) an easement, permit, or right-of-way for a public road or a public access way that serves an airport;

- (2) a lease, license, easement, right-of-way, or permit granted to a government agency for an activity directly related to and in support of the operation of an airport;
- (3) a lease or permit for land or building space granted to the Alaska Wing, Civil Air Patrol, except for an activity that is typically offered to the public, other than Civil Air Patrol members, for a fee;
- (4) a land lease or permit to a local government for a local government-owned passenger terminal or passenger shelter building on an airport that provides the primary transportation access for a community with a population of at least 25 but less than 1,500, subject to the following conditions:
 - (A) the land and building may be used for only airport terminal purposes and not for any other private or community purpose;
 - (B) the land and building must be available for public use free-of-charge, except as provided in (D) of this paragraph, and on a non-discriminatory basis;
 - (C) the land and building may not be used for revenue-generating purposes, except as provided in (D) of this paragraph; and
 - (D) if and to the extent authorized in the lease and approved by the department, the local government may charge fees no greater than required to recover building operation and maintenance costs;
- (5) a lease or permit for use of land by a local government for community purposes if
 - (A) contribution of the airport property enhances public acceptance of the airport in a community in the immediate area of the airport;
 - (B) community use of the land does not adversely affect the capacity, security, safety, or operations of the airport;
 - (C) the land would not reasonably be expected to produce fair market revenue to the airport at the time that the community use is contemplated and is not reasonably expected to be needed for an aeronautical use or airport operations in the foreseeable future; and
 - (D) community use would not preclude future use of the property for airport purposes if the commissioner concludes such future use would provide greater benefits to the airport than continuation of the community use;
- (6) a public service sign, public weather shelter, or public restroom facility owned and maintained by the lessee or permittee for the benefit of airport users, subject to the following conditions:

17 AAC 45.140. Airport noise compatibility program.

- (A) the land and any building may not be used for any use other than a public service sign, public weather shelter, or public restroom facility;
 - (B) the land and any building must be available for public use free-of-charge and on a non-discriminatory basis;
 - (C) the land and any building may not be used to generate revenue.
- (7) an aviation museum.

History: Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 3/20/2016, Register 217

Authority: AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.135. Airport planning and programs for FAA compliance.

If the department determines that it is the best interest of the state to do so, the department will prepare and, as appropriate, revise in conformity with applicable guidance published by the FAA, any manual, plan, or program required by the FAA for eligibility of the airport for federal funds or for participation in a federal aviation program. A manual, plan, or program prepared under this section is an information resource that the department and the airport manager may consult in making decisions under this chapter, but is not mandatory guidance or a regulation of the department.

History: Eff. 3/28/2002, Register 161

Authority: AS 02.15.020 AS 02.15.060 AS 02.15.090

Editor's note: A copy of any document prepared under this section for an airport is available through the commissioner's office at Commissioner of Transportation and Public Facilities, Department of Transportation and Public Facilities, 3132 Channel Drive, Juneau, Alaska 99801-7898.

17 AAC 45.140. Airport noise compatibility program.

- (a) If the department determines that it is in the best interest of the state and of members of the public living or working in areas near the airport that are or may be affected by noise from aircraft using the airport, the department will develop a program to improve compatibility between the operation of those aircraft and the surrounding community.
- (b) The department will follow the procedures of AS 44.62.180 - 44.62.290 in developing a noise compatibility program under this section. A noise compatibility program developed by the department must be approved by the FAA under 14 C.F.R. 150.23, as amended as of January 1, 2007, before it is forwarded to the commissioner.

History: Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185

Authority: AS 02.15.020 AS 02.15.060 AS 02.15.090