



TITLE 49 ADVISORY AD HOC COMMITTEE AGENDA

September 24, 2025 at 12:00 PM

Zoom Webinar Only

<https://juneau.zoom.us/j/86964237460> or call 1-253-215-8782 Webinar ID 869 6423 7460

A. CALL TO ORDER

- B. LAND ACKNOWLEDGEMENT** We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

C. ROLL CALL

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES

1. February 13, 2025 Title 49 Advisory Ad Hoc Committee DRAFT Minutes

F. AGENDA TOPICS

1. Title 49 Rewrite Status Update – Phase 1 ordinances and Phase 1.5 technical rewrite organization update.
2. Phase 1 Wave 2 – Ordinance 2025-40 – seeking discussion by the Committee to see if they would like to submit comments to the Assembly before their 15DEC25 meeting.
 - A) Ordinance 2025-40 An Ordinance Amending Title 49 Land Use Code Relating to Reasonable Accommodation, Zoning Maps, Subdivisions on Arterials, And Remove References to Committees and Programs No Longer in Existence.
3. Sign Code discussion – staff seeking opinions and concerns regarding sign code, signs in Juneau, and prospective stakeholders for future signage-related outreach.

G. STAFF REPORTS

1. Title 49 webform comments

H. COMMITTEE MEMBER COMMENTS AND QUESTIONS

1. Open discussion on Title 49 rewrite, including process, public engagement, and specific questions with project staff

I. NEXT MEETING DATE - TO BE DETERMINED

J. SUPPLEMENTAL MATERIALS

K. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, e-mail: city.clerk@juneau.gov.



TITLE 49 ADVISORY AD HOC COMMITTEE

DRAFT v.1 AGENDA

February 13, 2025 at 12:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/86964237460> or call 1-253-215-8782 Webinar ID: 869 6423 7460

A. CALL TO ORDER

Chairperson Greg Smith called the meeting to order at 12:00pm

B. LAND ACKNOWLEDGEMENT – Read by Mandy Cole

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

C. ROLL CALL

Committee Members Present: Greg Smith, Mandy Cole, Maggie McMillan, Lorraine DeAsis, Corey Baxter, Bill Heumann, Rich Harris

Committee Members Absent: None

Staff/Others Present: Rob Dumouchel, Special Project Planning Manager; Kevin Allen, Meeting Clerk

D. APPROVAL OF AGENDA – Approved, item F4 moved to H9

E. APPROVAL OF MINUTES

1. November 13, 2024 Title 49 Advisory Ad Hoc Committee DRAFT Minutes

Minutes approved without objection

F. AGENDA TOPICS

2. Phase 1 Wave 2 concepts discussion

After a brief refresher on the phases and timeline of the Title 49 rewrite project, Mr. Dumouchel presented a series of concepts for consideration as topics for Phase 1 Wave 2 (P1W2). Each concept was described at a high level and the Committee discussed their thoughts on how and if to move forward. Topics discussed included rules of measurement; updating 49.05.200 Comprehensive Plan for clarity on how to amend; updating 49.25.110 Zoning Maps to transition from a paper map to a digital map as the official zoning map of CBJ; creation of a reasonable accommodation section; creation of a lighting section; open discussion on which uses could move from conditionally permitted to principally permitted; updates related to urban agriculture; removal of 49.65 Article XI Marijuana Establishments from Title 49 and amendments to 20.30 Marijuana; Transfer of 49.65 Article I & II (mining-related) to a different title; resumption of an arterial lot size and private shared access ordinance that was started by CDD and reviewed by the Planning Commission but never adopted; and a lot width proposal that had been made by the Chamber in the past. The Committee supported pursuing all items at this time with the exception of the movement of 49.65 Article I & II and the Chamber lot width proposal. The Committee also spoke at length about issues related to appeals of Director-level interpretations.

3. Phase 1.5 (technical rewrite) discussion

Mr. Dumouchel presented high level concepts for the Phase 1.5 technical rewrite of Title 49 to get an idea of what the Committee would like to see in the reorganized document. Topics discussed included the organization

of chapters in Title 49; illustrations; breaking up the existing table of permissible uses into smaller tables by zone district; and removing fees from code.

G. STAFF REPORTS

5. Phase 1 Wave 1 materials provided to the Committee of the Whole on 27JAN25

6. Ordinance 2025-15 introduced 3FEB25

Chair Smith discussed potentially sending a memo to the Assembly regarding any Committee comments about Ordinance 2025-15. Committee members were directed to contact Mr. Dumouchel if they had substantive comments and he would work with Chair Smith to schedule a follow-up meeting with the Committee if necessary.

7. Title 49 webform comments

Chair Smith discussed developing a process to recap Title 49 webform comments for the Committee with commentary on how and when the Committee might want to address the comments.

H. COMMITTEE MEMBER COMMENTS AND QUESTIONS

9. Open discussion on Title 49 rewrite, including process, public engagement, and specific questions with project staff

Ms. Cole gave comments on content of staff memos to the Assembly.

I. NEXT MEETING DATE

Committee meets as needed, next meeting date will be set by the Chair

J. SUPPLEMENTAL MATERIALS

None

K. ADJOURNMENT

There being no further business to come before the committee, meeting adjourned at 1:32pm.

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City and Borough of Juneau
City & Borough Manager's Office
155 Heritage Way
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: September 22, 2025
RE: Title 49 Phase 1 Text Amendments, Second Wave

This memo is a brief overview of the amendments contained within Phase 1 Wave 2 (P1W2) of the Title 49 Rewrite Project. The proposed ordinance touches on reasonable accommodations, zoning maps, subdivisions on arterials, and some general housekeeping items. A separate ordinance addressing marijuana regulations will follow in the very near future. The table below describes each element of P1W2 at a high level, more in-depth memos for each major topic follow this memo.

Topic	Code Sections	Overview of Changes
Reasonable Accommodation	Creates: 49.15.170 – Reasonable Accommodations Edits: 49.80.120 – Definitions	Creates a section governing Reasonable Accommodations to land use code requirements to help CBJ comply with Federal Fair Housing Act regulations for individuals with disabilities
Zoning Maps	Edits: 49.25.110 – Zoning Maps	Modernizes the zoning map code and allows a digital map to be the "official zoning map" of CBJ
Subdivisions on Arterials	Edits: 49.35.210 – Street System	Removes the requirement that all parcels subdivided along arterials, regardless of underlying zone district, must meet minimum lot size standards for the D1 zone district (36,000 square feet)
Housekeeping	Edits: 49.05.100 – Purpose and Intent (General Provisions); 49.10.520 – Meetings (Community Development Director); 49.15.401 – Minor Subdivisions; 49.15.404 – Public Way Vacations; 49.15.411 – Preliminary Plat Requirements; 49.70.130 – Concept Review (New Growth Areas); 49.80.120 - Definitions	Removes references to the coastal management program and subdivision review committee which no longer exist; removes a reference to landslide areas that was missed by Ordinance 2023-18(am)

The Ad Hoc Title 49 Advisory Committee was presented a group of concepts for P1W2 inclusion at their February 13, 2025 meeting. The topics in this proposed text amendment were selected from that list, researched, and preliminary drafts written in house. The Title 49 contract attorney reviewed and updated the drafts in collaboration with staff. The Planning Commission and Title 49 Advisory Committee will have an opportunity to review the proposed language before the Assembly considers the text amendment for adoption.

Staff Recommendation: Introduce ordinance with proposed text amendments to Title 49 and refer to the Planning Commission for a review to be completed within 60 days.

Attachments:

- Memo: Reasonable Accommodation in Zoning & Land Use for Individuals with Disabilities
- Memo: Zoning Map Code Modernization
- Memo: Minimum Lot Sizes for Arterial Subdivisions



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Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: September 22, 2025
RE: Reasonable Accommodation in Zoning & Land Use for Individuals with Disabilities

Reasonable accommodation for individuals with disabilities has become a common component of modern zoning codes. This trend is mainly driven by the Federal Fair Housing Act¹. I do not believe that it is common for Title 49 – Land Use code to create barriers to housing development for individuals with disabilities in Juneau, however, it is important to create a mechanism for the Community Development Director and Planning Commission to grant reasonable accommodations when necessary to stay compliant with federal law while also advancing multiple Assembly goals.²

The Fair Housing Act prohibits housing practices that discriminate against individuals on the basis of disability,³ among many other factors. Zoning and land use regulations can create barriers to a person with a disability having equal opportunity to housing. Providing individuals or groups of individuals with disabilities a mechanism for requesting reasonable accommodations from the City and Borough's land use provisions ensures that these individuals have equal access to housing within the City and Borough and protects the City and Borough from costly allegations of violations of federal law.

A reasonable accommodation is a reasonable change, exception, or adjustment to a rule, policy, practice or service that is necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. A simple example of a reasonable accommodation is granting a reduced front setback and/or increase in lot coverage in a residential zone to allow for the construction of a wheelchair ramp to access the front door of an existing home where doing so is reasonable. This type of accommodation may be reasonable in one area but not another depending upon the purpose served by the setbacks. Thus, having a permitting process that authorizes the Director to consider the requested accommodation, and the reasonableness and necessity of that accommodation, ensures that the City and Borough is protecting the rights of individuals or groups of individuals with a disability to have equal access to housing within the City and Borough's borders.

The Fair Housing Act does not require local governments to create formal processes for reasonable accommodations; however, the Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) strongly encourage adopting specific procedures and ensuring that they are publicized appropriately. Many modern zoning codes are including explicit reasonable accommodation sections to ensure that there are clear guidelines for both staff and the public to navigate requests. Because reasonable

¹ 42 U.S.C. §§ 3601-19

² **Related Assembly Goals:** Housing – Assure adequate and affordable housing for all CBJ residents; Community Wellness, and Public Safety – Juneau is safe and welcoming for all citizens; and, Sustainable Community – Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.

³ According to a 2016 interpretation of the Fair Housing Act by the Department of Housing and Urban Development and the Department of Justice (<https://www.justice.gov/opa/file/912366/dl>), a person with a disability includes individuals with a physical or mental impairment that substantially limits one or more major life activities. A “physical or mental impairment” includes, but is not limited to, diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV infection, developmental disabilities, mental illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance), and alcoholism.

accommodations are driven by unique circumstances related to an individual's disability and characteristics of the property and regulations in question, they must be determined on a case-by-case basis.

A local government is not obligated to accept a suggested reasonable accommodation if it would impose an undue financial and administrative burden or fundamentally alter the local government's zoning. When a proposed reasonable accommodation is rejected, the local government should work with the requestor to determine if there is an alternative that would address the disability-related barrier to use of a dwelling.

Proposal Highlights

The proposed text amendment would create section **49.15.170 – Reasonable Accommodations**. The section includes the following:

- Description of the purpose of the section which is to allow modifications to development regulations to support equal access to housing for people with disabilities in compliance with the Fair Housing Act when certain criteria are met.
- A framework for eligibility to request a reasonable accommodation and the criteria that the CDD Director must consider when reviewing an application for reasonable accommodation.
- A right to appeal the CDD Director's determination of a reasonable accommodation to the Planning Commission and authority for such an appeal to be consolidated with any other permit applications on the same property before the Commission.

Additionally, a definition for "reasonable accommodation" will be created within **49.80.120 - Definitions**.



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TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: September 22, 2025
RE: Zoning Map Code Modernization

The zoning map is very important to the development process. Currently, the official zoning map is referenced as a 184-page atlas. In practice, property owners and developers are referring to CBJ's online digital GIS maps to research zoning information for specific parcels, not the paper atlas referred to in code. The divergence between code and practice is a vulnerability where potential differences between the GIS map and the atlas could lead to confusion at best, and expensive legal conflict in the worst-case scenario. Additionally, the reference to all of the City and Borough's maps, whether digital or in hard copy, as the "official zoning map" potentially creates confusion and increases the burden placed on the City to ensure all of the maps are updated contemporaneously. The purpose of an "official zoning map" is to have one map that shows the boundaries of each zoning district. This can be accomplished on a single map, especially when using GIS technology.

The intent of the amendments to **49.25.110 – Zoning maps** is to modernize and clarify the Code, allowing for a digital GIS map to be the "official" CBJ zoning map and ensuring that there is one map that reflects City and Borough zoning district boundaries. The modernization of zoning maps with digital replacements for paper maps is slowly becoming more common throughout the United States and Alaska. In Alaska, the Ketchikan Gateway Borough elected to move to a digital official zoning map in 2022 as part of a zoning code rewrite.

While the medium is proposed to change, it's important to note that processes that impact the map, like rezonings, remain the same.

An additional consideration while we are focusing on regarding zoning maps is ensuring that there are efficient mechanisms for maintenance and corrections by Community Development staff. This is particularly important in Juneau due to the dynamic nature of our physical geography. Many geologic and hydrologic processes are creating and destroying land through isostatic rebound, river meanders, silt accretion along waterways, erosion, landslides, etc. There needs to be mechanisms in code that allow staff to account for changes to the land that extend or contract the existing boundaries of platted parcels. Additionally, with the improvements to **49.70.720 – Zoning upgrade (Transition Zones)**, we need to ensure that the official zoning map can be updated to reflect upgraded transition zoned parcels without having to send the changes to the Planning Commission for review which would defeat the purpose of the recent amendment to the transition zone section. The proposed changes preserve the ability to change the map so long as those changes are performed in accordance with the law.



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TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: September 22, 2025
RE: Minimum Lot Sizes for Arterial Subdivisions

Minimum lots sizes for subdivisions on arterials are impeding the reasonable development of housing in Juneau. A solution was proposed in 2023, but it was not adopted. This amendment resurrects that proposal and brings it to the Assembly for consideration.

Feedback from the Community Development team is that the current rules for the minimum lot size of a subdivision along an arterial have been a frequent barrier to property owners who wish to subdivide their land to build new housing. Under **49.35.210(3)(A)**, all resultant lots from a subdivision, regardless of its underlying zone district, must be a minimum of 36,000 square feet (the minimum size in D-1). This is incredibly restrictive. It requires, at a minimum, that a parcel be 72,000 square feet to be considered for subdivision into two lots.¹

The Community Development Department and the Planning Commission identified minimum lot sizes on arterials as a barrier to housing and reviewed a proposed amendment in August of 2023. That amendment never made it to the Assembly as an ordinance for a vote, and the barrier remains.

Proposal Highlights

The proposal includes the following:

- Allowing the underlying zone district to govern the minimum lot size for a subdivision on an arterial street.
- Allowing the subdivided lots' access to be determined by the owner of the right-of-way (CBJ or Alaska Department of Transportation).
- Defining arterial and connector streets and "major" and "minor" streets. These definitions make the section more user-friendly and accessible and eliminate any confusion.

Future Considerations:

The original proposal that inspired this text amendment (case AME2023 0003) included changes to private shared access standards. Those changes will be reviewed and included in a future wave for consideration.

Additionally, in a future wave, a proposal will be brought forward to remove **Chapter 49.35 – Public and Private Improvements** from Title 49 and place it in a new title along with **Chapter 49.15 Article IV – Subdivisions** and **Chapter 49.55 – Financial Responsibility**. These existing portions of Title 49 are not zoning concerns and would be more appropriately administered as a separate title.

¹ Minimum lot sizes in residential zone districts are as follows: RR, 36,000 sq. ft.; D-1, 36,000 sq. ft.; D-3, 12,000 sq. ft.; D-5, 7,000 sq. ft.; D-10 SF, 3,600 sq. ft.; D-10, 6,000 sq. ft.; D-15, 5,000 sq. ft.; D-18, 5,000 sq. ft.

Presented by: The Manager
Presented: 09/22/2025
Drafted by: Birch Horton

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-40

An Ordinance Amending Title 49 Land Use Code Relating to Reasonable Accommodation, Zoning Maps, Subdivisions on Arterials, And Remove References to Committees and Programs No Longer in Existence.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 49.05.100, Purpose and intent, is amended to read as follows:

49.05.100 Purpose and intent.

The several purposes of this title are:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, ~~and coastal management program;~~
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and

1
2 other public requirements, and in general to promote public health, safety and
3 general welfare;

4 (5) To provide adequate open space for light and air; and

5 (6) To recognize the economic value of land and encourage its proper and beneficial
6 use.

7
8 **Section 3. Amendment of Section.** CBJC 49.10.520, Meetings, is amended to read
9 as follows:

10 **49.10.520 Meetings.**

11 The director or the director's designee should attend all regular and special commission
12 meetings, committee of the whole meetings, ~~and subdivision review committee meetings~~, as well
13 as any public hearing or public meeting of the commission.

14 **Section 4. Amendment of Chapter.** Chapter 49.15, Permits, is amended to add the
15 following section:

16 **CHAPTER 49.15 PERMITS**

17 ***

18 **49.15.170 Reasonable accommodation.**

19
20 (a) *Purpose.* The purpose of this section is to authorize the director to permit reasonable
21 accommodations in land use and zoning regulations necessary to provide persons with
22 disabilities equal access to housing consistent with the Federal Fair Housing Act (42
23 U.S.C. § 3601 et seq.).

24 (b) *Application.* A property owner may request a change or exemption from the
25 requirements of Title 49 of this code if the change or exemption is reasonable and
necessary to provide an individual or individuals with disabilities equal access to

housing consistent with the Federal Fair Housing Act. A request for a change or exemption under this section may only be granted if the following are met:

- (1) A completed application requesting a change or exemption under this section is filed with the Department on a form provided by the Department; and
- (2) The application required in this section is filed with any required fees, scale-drawn site plans and floor plans, and any other materials required by the Department at the time the application is submitted.

(c) *Review authority.*

- (1) The Director has authority to grant or deny an application for accommodation under this section when the director determines doing so is reasonable and necessary to provide an individual or individuals with disabilities equal access to housing consistent with the Federal Fair Housing Act.
- (2) Reasonable accommodation determinations made by the director may be appealed to the Planning Commission pursuant to chapter 49.20 of this code. An appeal of a reasonable accommodation determination under this section may be consolidated with the Commission's consideration of other permit applications for the same property.

(d) *Review procedure.*

- (1) *Time period.* The Director shall grant, grant with conditions or deny an application under this section within 45 days of receiving a complete application.
- (2) *Information.* If necessary to reach a determination under this section, the Director may request further information from the applicant consistent with law.

1
2 If a request for additional information is made, the 45-day period to issue a
3 decision is stayed until the applicant submits the requested information.

4 (c) *Criteria.* The Director may grant a reasonable accommodation under this section if the
5 director finds that the applicant has demonstrated that the following criteria are
6 substantially met:

- 7
8 (1) The requested accommodation is necessary to provide an individual or group of
9 individuals with a qualifying disability equal access to housing consistent with
10 the Federal Fair Housing Act.
- 11 (2) There is no reasonable alternative accommodation that would provide the
12 individual or group of individuals with a qualifying disability equal access to
13 housing consistent with the Federal Fair Housing Act.
- 14 (3) The accommodation requested does not negatively impact neighboring property
15 in the City and Borough or any negative impact is outweighed by the harm to the
16 individuals or group of individuals for which the accommodation has been sought
- 17 (4) The accommodation is narrowly tailored to the need of the individual or group of
18 individuals with the qualifying disability.
- 19 (5) The accommodation does not place an undue financial or administrative burden
20 on the City and Borough.
- 21 (6) The accommodation does not violate the City and Borough of Juneau
22 Comprehensive Plan unless the failure to grant the accommodation otherwise
23 constitutes a violation of applicable law.
24
25

- 1
- 2 (7) The accommodation will not result in a concentration of uses otherwise not
- 3 allowed in a residential neighborhood to the substantial detriment of the
- 4 residential character of that neighborhood.

5 ***

6 **Section 5. Amendment of Section.** CBJC 49.15.401, Minor subdivisions, is

7 amended to read:

8 **49.15.401 Minor subdivisions.**

9 ***

- 10 (c) *Preliminary plat.* The directory shall be responsible for review and approval of the
- 11 application for a preliminary plat.

- 12 (1) An applicant for a preliminary plat shall submit an application on a form
- 13 provided by the department, accompanied by a draft preliminary plat and the
- 14 appropriate fee. The draft plat shall meet the standards set forth in CBJ
- 15 49.15.411.
- 16 (2) For subdivisions of four or fewer lots, the department shall mail written notice of
- 17 the application to the owners of abutting property following the director's
- 18 determination that the application is complete. For subdivisions of five to 13 lots,
- 19 the department shall mail notice of the application to the owners of record of all
- 20 property, and all neighborhood associations listed with the municipal clerk in
- 21 accordance with CBJ 11.35, located within 500 feet of the property being
- 22 subdivided, following the director's determination that the application is
- 23 complete. The actual cost of mailing shall be paid by the applicant.

- 24 (3) ~~The director may request review by the subdivision review committee.~~ Reserved.

25 ***

Section 6. Amendment of Section. CBJC 49.15.404, Public way vacations, is amended to read:

49.15.404 Public way vacations.

(d) Commission review process.

- (1) After determining the application is complete, the department shall provide public notice consistent with CBJ 49.15.230.
- (2) The director may transmit copies to other public or private entities that may have an interest in the proposal for their comments.
- (3) The director of engineering and public works shall review the application and present written comments, including any recommended conditions of approval, to the director of community development.
- ~~(4) The director or applicant may request review and comment by the subdivision review committee.~~

Section 7. Amendment of Section. CBJC 49.15.411, Preliminary plat requirements, is amended to read:

49.15.411 Preliminary plat requirements.

- (i) Additional mapping or reports. If required by this title or by the director, the following additional mapping or reports shall be submitted with the preliminary plat:
 - (1) Any portion of a special flood hazard area, ~~landslide or~~ avalanche area, habitat area as defined by CBJ 49.70.310, or watersheds, either existing at the proposed

subdivision site or shown on the overlay maps, adopted pursuant to this title, to exist at the proposed subdivision site, must be depicted on the preliminary plat;

Section 8. Amendment of Section. CBJC 49.25.110, Zoning maps, is amended to read:

49.25.110 Official ~~z~~Zoning maps.

- (a) *Adopted.* The maps ~~contained in the atlas~~ publicly available on or through the City and Borough's website entitled "Zoning Map of the City and Borough of Juneau, Alaska," dated June 5, 2006, and consisting of sheets 1-184, as the same may be amended from time to time by the assembly by ordinance, are adopted and made a part of this title. shall constitute the official zoning map of the City and Borough.
- (b) *Changes to the official zoning map.* Changes made in zoning district boundaries or other matters portrayed on the official zoning map shall be made only by the director or the director's designee and only to reflect lawfully adopted changes.
- (c) *Naturally-occurring changes to the land.* The director may revise the official zoning map to reflect changes to zoning district boundaries that result from naturally occurring changes to the land, including but not limited to erosion, avulsion or accretion. Changes to the zoning map arising from naturally occurring changes to the land are exempt from the amendment procedures in this code.
- (~~b~~d) *Maintained on file.* All versions of the~~The~~ official zoning maps shall be retained by the City and Borough in accordance with the City and Borough retention schedule ~~remain on file in the department and shall be identified by signatures of the City and Borough municipal clerk and mayor.~~

- 1
- 2 ~~(e) *Amendment.* If, in accordance with provisions of this chapter, changes are made in the~~
- 3 ~~district classification, such changes shall be entered on the official zoning map promptly~~
- 4 ~~after the amendment has been adopted by the assembly by ordinance~~
- 5 (de) *Final authority.* The official zoning map shall be the final authority as to the current
- 6 zoning status of land in the City and Borough, regardless of the existence of copies of the
- 7 official zoning maps which may be published from time to time.
- 8
- 9 ~~(e) *Replacement of official map.* In the event that the official zoning map becomes damaged,~~
- 10 ~~destroyed, lost or difficult to interpret because of the nature or number of changes and~~
- 11 ~~additions, the assembly may by resolution adopt a new copy of the official zoning map,~~
- 12 ~~which shall supersede the prior copy of the official zoning map, but no such replacement~~
- 13 ~~shall have the effect of amending the contents or meaning of the original zoning map. The~~
- 14 ~~prior map or any significant parts thereof remaining shall be preserved, together with all~~
- 15 ~~available records pertaining to its adoption or amendment.~~
- 16 (f) District boundary lines. Except where reference is made on the zoning map to a street
- 17 line, political boundary or other designated line, the district boundary lines are intended
- 18 to follow property lines, centerlines of streets, alleys, streams, or the extension of such
- 19 lines as they existed on the date of adoption of the ordinance codified in this title.
- 20
- 21 (g) *Public way vacations.* Whenever any street, alley or other public way is vacated as
- 22 provided by CBJ 49.15.404, the zoning districts adjoining the side of such public way shall
- 23 automatically be extended to follow property lines legally created by such vacation.
- 24 (h) *Tidelands.* Areas under water or tidelands which are not shown as included within any
- 25 district shall be subject to the regulation of the adjacent district.

Section 9. Amendment of Section. CBJC 49.35.210, Street system, is amended to read:

49.35.210 Street system.

(a) *[in general.]* Subdivision street systems shall be designed for the most advantageous development of the entire neighborhood area and shall meet the following criteria:

- (1) The street system shall provide for connecting streets into adjoining unsubdivided lands.
- (2) Subdivision street systems shall be designed to maximize the number of connecting streets in a given area in order to reduce the volume of traffic and traffic delays on major streets (arterials and major collectors), to minimize bypass and through trips on residential streets, and to increase the number of local street connections facilitating safer bicycle and pedestrian travel.
- (3) Traffic calming should be taken into account in street layout and design.
- (4) For purposes of this section, “arterial street” means a street or road that carries traffic between different areas of the City and Borough. “Collector street” means a street or road that is designed to collect traffic from neighborhood streets and channel it towards major and minor arterial streets. A “major” street means a street or road that has high volumes of traffic. A “minor” street has low volumes of traffic.

(b) *Major and minor arterials.* Except as provided in subsection (c) of this section, if a new subdivision involves frontage along a major or minor arterial street, the following criteria must be met:

(1) ~~No lots shall access directly onto the arterial street and the~~ The plat shall note ~~this restriction that no lots shall access directly onto the arterial street; and~~

(2) Access shall be provided onto an interior access street or a separate frontage road.

(3c) Minor arterial access exception. A parcel of land with less than 500 feet of frontage on a street, or with less than 350 feet in depth may be subdivided so as to allow access directly onto a minor arterial street if all of the following conditions are met:

(1)(A) ~~All of the resulting lots must meet the minimum lot area standard for a single-family dwelling in the D-1~~ the underlying zoning district (36,000 square feet).

(2)(B) ~~All of the lots must share a common access point~~ unless the owner of a right-of-way approves an alternative access point onto that right-of-way. and further subdivision of the newly created lots is not allowed.

(3)(C) ~~Common access to all lots is required and back out parking is prohibited.~~ The applicant must submit a plan that ~~shows the feasibility of~~ includes off-street parking for all lots that does not require or promote parking that would result in a vehicle backing up onto an arterial street and provides for an adequate area for a turnaround to prevent back out parking.

(D) ~~The applicant must provide assurance in the form of an easement, plat note, and a maintenance agreement that is recorded with the subdivision, all of which must be acceptable to~~ and approved by the director, that ensures the requireds that common access will be constructed and maintained by the property owners.

(4)(D) The proposed subdivision must meet all other applicable subdivision standards and requirements.

(de) *Collector streets, general.* Collector streets in adjoining subdivisions shall be continued in the new subdivision as needed.

(1) *Major collectors.* Except as provided ~~in subsection (C) of~~ otherwise in this section, if a new subdivision involves frontage along a major collector street, the following criteria shall be met:

(A) The plat shall note that no lots shall access directly onto the major collector.

(B) Access shall be provided onto an interior access street or a separate frontage road.

~~(2C)~~ Exception ~~a~~ A parcel of land with less than 500 feet of frontage or less than 350 feet of depth may be subdivided so as to allow access directly onto a major collector street.

~~(32)~~ *Minor collectors.* Access for lots is allowed directly onto minor collector streets if no other restrictions apply.

Section 10. Amendment of Section. CBJC 49.70.130, Concept review, is amended to read:

49.70.130 Concept review.

~~(d) Subdivision review committee. Prior to formal submittal, the master plan shall be reviewed for conceptual approval by the subdivision review committee of the commission.~~

Section 11. Amendment of Section. CBJC 49.80.120, Definitions, is amended to read:

49.80.120 Definitions.

~~Coastal zone means the area subject to the policies of this title as depicted on JCMP Map 1.~~

~~*Juneau Coastal Management Program* or *JCMP* mean the coastal management program for the City and Borough.~~

Reasonable accommodation means an adjustment or exception to a law, rule, policy, practice, or service that is necessary to afford an individual or a group of individuals with a disability equal opportunity to use and enjoy a dwelling, or to participate in and benefit from a program, service, or activity, as required under the Fair Housing Act, the Americans with Disabilities Act, or other applicable laws.

Section 12. Repeal of Section. CBJC 49.25.120, Districts adjoining water or tidelands, is repealed and incorporated into CBJC 49.25.120, Official zoning maps.

Section 13. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

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2 Attest:

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4 Breckan L. Hendricks, Municipal Clerk
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City and Borough of Juneau
City & Borough Manager's Office
155 Heritage Way
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Ad Hoc Title 49 Advisory Committee
FROM: Rob Dumouchel, Special Project Planning Manager
DATE: 4SEPT25
RE: Title 49 Webform Comment Overview

This memo is intended to give a brief overview of the webform comments received after the previous committee meeting. The full comments are attached to this memo.

Date Received	Topic(s) of Concern	Staff Comments
13FEB25	Urban agriculture – rules and definitions for poultry are inconsistent and overly restrictive	Topic was discussed at 13FEB25 committee meeting as a potential Phase 1 Wave 2 (P1W2) topic. Research is ongoing.
24FEB25	Variances – broaden their use for common sense reason beyond special conditions of the property	This topic is worth further discussion at the committee level, I would advise including planned unit development and zoning incentives as well.
14APR25	Density in residential zones – encourage increased density in D-5 and similar within urban service boundary	This is a Phase 2 item that would need Comprehensive Plan support.
23JUN25	Time to acquire permits	P1W1 made considerable moves towards removing barriers to permit acquisition, ongoing Phase 1.5 updates related to permit processes will continue that work.
23JUN25	Subdivisions on arterials – current standards require subdivisions to result in D-1 sized lots regardless of underlying zone district	Ordinance 2025-40 to be introduced to the Assembly on 22SEPT25 addresses this concern.
30JUN25	Subdivisions on arterials	Ordinance 2025-40 to be introduced to the Assembly on 22SEPT25 addresses this concern.
12AUG25	Subdivisions on arterials	Ordinance 2025-40 to be introduced to the Assembly on 22SEPT25 addresses this concern.

From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Thursday, February 13, 2025 4:32:35 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49

49.25.300, 49.80.120

What is the issue/problem/inefficiency/opportunity within this chapter/section?

The current zoning rules and definitions allowing personal-use agriculture of poultry are both inconsistent in effect and overly restrictive such that they prevent residents in many zoning districts from attaining the greater food security that comes with having a backyard flock.

Additionally, a strict reading of code currently suggests that poultry other than hens (like ducks, geese, quail, etc.) should be considered like other, large farm animals and thus, are subject to overly strict requirements (and all but disallowed in many zoning districts).

There are many ways that Title 49 might be used to reduce human-bear conflict, but I would also suggest considering how this could be considered as it relates to farm animals and poultry - requiring measures like electric fences in some or all cases can reduce the risk of bears killing poultry.

For some background on previous efforts to update Title 49 to this regard, see this 2016 petition which garnered 307 signatures: <https://www.change.org/p/city-and-borough-of-juneau-sustainability-committee-promote-sustainability-in-juneau-ak-by-enhancing-current-chicken-laws>

How would you propose improving Title 49 relevant to this submittal?

In 49.80.120 (Definitions), define poultry as domestic fowl including chicken, turkey, goose, duck, Rock Cornish hens, and game birds such as pheasant, squab and guinea fowl. This excludes animals requiring space similar to other farm animals like emu, rhea, and ostrich (which are allowed under permissible commercial uses).

In the table found at 49.25.300, edit permissible uses under 14.250 (Personal use agriculture) to generally reflect the following:

#1 In zoning districts: RR, D-1, D-3, D-5, D-10SF, D-10, LC, GC, WC, WI, I

Allowed up to 12 poultry if they are kept 15 ft from neighboring dwellings. If your property is 1 acre or more 24 poultry allowed. 2 acres or more unlimited poultry allowed. The city may restrict your operations if it causes a public nuisance (bear-human conflict, noise), public health (disease), or if the poultry roam at large.

Poultry keepers will be given 2 warnings to remedy violations before the city can prohibit operations.

#2 In zoning districts: D-15, D-18, MU, MU2

-Up to six poultry may be kept without any special permit IF the poultry coop and yard are more than 20 feet from the nearest neighboring residence.

-When the coop & yard are closer than 20 feet from the nearest neighboring residence a conditional use permit is required.

-If more than six poultry are to be kept a conditional use permit is required.

#3 In zoning districts: D-15, D-18

-80% of the residents of a community in a mobile home park, apartment complex, or condominium association and the landlord (if applicable) must approve by signature for a designated community small poultry area where chicken zoning rule #1 applies and may be implemented. Otherwise, chicken zoning rule #2 supersedes.

The above is adapted from suggestions made by the 2016 petitioners, with "poultry" used in lieu of "chicken" and adding some language re: bears to discussion of nuisance. Some of the rules suggested may be outside the scope of Title 49; if this is the case, I would suggest limiting the proposal to reflect what can be changed in Title 49. For instance, if changes required to effectuate rules control of roosters (noise nuisance) can't be done here, a compromise could be excluding roosters from personal use, either wholesale via the definition or specifically for some denser zoning districts.

See the 2016 proposal here: <https://juneau.org/wp-content/uploads/2018/04/20160711090437-a.pdf>

Name
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From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Monday, February 24, 2025 2:15:33 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49

49.20.250 - Variance standards

What is the issue/problem/inefficiency/opportunity within this chapter/section?

Variances should be granted for reasons other than "special conditions" of the property. Human common sense should allow for mistakes that occur, for variances that promote sensible development, even for financial reasons. For example, a variance that that means a property can be subdivided even though it's 3 inches short of the requirement makes sense. A variance that allows an encroachment into the setback for better sun expose probably doesn't. But as the variance chapter rests now, it cannot be used for subjective decision making by the PC.

How would you propose improving Title 49 relevant to this submittal?

Expanding the criteria to encompass other reasons for variance. Perhaps by citing hardship, which could be interpreted as a special condition of the land, an error in planning/surveying/etc, or a financial reason.

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Rob Dumouchel

From: domadmin@juneau.org
Sent: Monday, April 14, 2025 8:58 AM
To: Rob Dumouchel
Subject: New submission from Manager - Title 49 Suggestions

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49

Chapter 49.25

What is the issue/problem/inefficiency/opportunity within this chapter/section?

Title 49 currently underutilizes the development potential of residential zones within the urban service boundary—i.e. D-5 districts and similar. These areas, already served or serviceable by public water, sewer, and public transportation are limited to five dwelling units per acre and largely constrained to single-family and duplex housing. This land-use model is inefficient in addressing Juneau's housing shortage, contributes to sprawl, and undercuts the value of existing public infrastructure investments.

By restricting density in already-developed, infrastructure-ready areas, Title 49 inadvertently pushes development further out, increasing reliance on cars, contributing to environmental degradation, and reducing the city's overall housing supply and affordability.

How would you propose improving Title 49 relevant to this submittal?

The City and Borough of Juneau is urged to upzone areas within the urban service boundary—i.e. D-5 districts and similar—to allow for higher residential density by right. This could include transitioning D-5 to a new zone permitting 10–20+ dwelling units per acre, or adopting flexible overlays that allow multifamily housing, small apartment buildings, and townhomes. Encourage infill development by reducing lot size minimums, allowing for form-based zoning, and eliminating unnecessary parking mandates. Create clear, streamlined approval processes for higher-density developments in these areas.

Numerous U.S. cities have successfully increased housing supply and affordability by reforming zoning to allow higher densities in residential neighborhoods, particularly near transit and public services. Examples include:

- Minneapolis, MN: Eliminated single-family-only zoning citywide, leading to modest but steady increases in multi-unit housing within established neighborhoods.
- Portland, OR: Adopted the Residential Infill Project, allowing up to four homes per lot (and six if affordable) in formerly single-family zones, with strong design standards.
- Seattle, WA: Encouraged urban village upzoning and accessory dwelling units (ADUs), resulting in more diverse housing options and higher density in key growth areas.
- Boise, ID: Introduced form-based code overlays to support gentle density in core neighborhoods, enabling a mix of townhomes and small apartments.

These reforms have helped meet growing demand, reduce housing costs, and make efficient use of public infrastructure—goals that align well with Juneau's sustainability and housing affordability objectives.

Conclusion: Title 49 should reflect a forward-thinking approach to land use, recognizing that D-5 zones and other similar zones within the urban service boundary are prime candidates for responsible densification. Upzoning these areas can relieve pressure on undeveloped lands, reduce housing scarcity, and enhance walkable, transit-accessible communities. This is a critical opportunity to align zoning policy with the city's long-term housing and climate goals.

Name

Leslie Hill

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From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Monday, June 23, 2025 4:44:08 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49
45.15/110
What is the issue/problem/inefficiency/opportunity within this chapter/section?
Permits are not issued efficiently or in a timely manner. This discourages development and is a contributing factor in ignoring the permitting process entirely. In order for the process to flow smoothly, applicants must have a guaranteed, reasonable time line for construction.
How would you propose improving Title 49 relevant to this submittal?
Anyone applying for a residential or other non commercial building permit with either and engineer or architect's stamp may proceed with construction 14 days after submittal to the CBJ permit office. Permits will be deemed approved and will not be subject to change or delay if the CBJ fails to issue a permit within 14 days from the date of submittal. The CBJ will have 50 days to issue a permit for commercial construction. Any applicant that presents building plans with and engineers or architect's stamp may proceed with construction 14 days after submittal to the CBJ permit office. Permits will be deemed approved and will not be subject to change or delay if the CBJ fails to issue a permit within 14 days from the date of submittal. *Note, this would not eliminate construction code compliance,
Name
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From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Monday, June 23, 2025 10:34:02 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49

Chapter 35

What is the issue/problem/inefficiency/opportunity within this chapter/section?

Subject: Please Support Chapter 35 Revisions to Enable Workforce Housing

We are writing as longtime, fifty plus years, residents and proud grandparents of a newly sworn-in firefighter/paramedic to express our strong support for the proposed revisions to Chapter 35. Specifically, we urge you to support the change that would allow subdivisions on arterial roads to follow the underlying zoning, rather than defaulting to the D1 lot size standard, as is currently required.

When we purchased our property in 2012, we did so with the understanding that subdivision in the future would be possible. Now that time has come—we want to help our grandson, who cannot otherwise afford to purchase land in town, build a home on a portion of our property. Unfortunately, a 2015 code change now prohibits this - our lot is just 5,789 square feet short of meeting the D1 minimum, even though we live in a D3 zoning district. Why are we being held to a standard that doesn't match the zoning of our own property?

Our grandson was born and raised in this city. He chose a career in public service to protect and care for the community he grew up in. And yet, like so many of his peers—first responders, teachers, city workers, and young families—he cannot afford to live here. The rising cost and limited supply of housing are driving out the very people who keep this community running.

The Assembly has stated time and again that housing is a top priority. This section of code has been flagged by planning staff for years as a clear and critical barrier to development. Revising it now is a tangible and timely action that would remove unnecessary restrictions—particularly in areas where added density is both appropriate and needed.

It's time to align policy with the priorities we all share. Updating Chapter 35 is more than a procedural change—it's a meaningful step toward keeping our city livable, equitable, and safe for future generations. Thank you for your time and your consideration of this important revision.

How would you propose improving Title 49 relevant to this submittal?

By allowing properties zoned D3 to be governed by D3 zoning instead of D1 regulations. There is no logical safety issues involved.

Name

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From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Monday, June 30, 2025 11:39:26 AM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49
Chapter 35
What is the issue/problem/inefficiency/opportunity within this chapter/section?
I would like to rewrite the line that states main arterioles need a minimum lot size of 36,000 sqft. Per 49.35.210(b)(3)(A). eff. 2015 – Subdivisions involving frontage along an arterial street with less than 500 feet of frontage on a street may be subdivided if the resulting lots meet the minimum lot area standard for a single-family dwelling in the D1 zoning district (minimum 36,000 square feet).
How would you propose improving Title 49 relevant to this submittal?
I propose to have it written so the minimum lot size correlates directly with the zoning that the land is in. This would allow for more housing opportunities in our community.
Name
Liam Van Sickle
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From: domadmin@juneau.org
To: [Rob Dumouchel](#)
Subject: New submission from Manager - Title 49 Suggestions
Date: Tuesday, August 12, 2025 11:43:02 AM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Specific Chapter/Section of Title 49

Section 49.35.210(b)(3)(A)

What is the issue/problem/inefficiency/opportunity within this chapter/section?

Challenge:

Our challenge is the inability to subdivide our North Douglas, 44,552 sq. ft. D-15 lot, because Section 49.35.210(b)(3)(A), which relies on an outdated Title 49 classification map that has North Douglas Highway labeled as a Minor Arterial, rather than using the current State of Alaska DOT functional classification of Major Collector that would allow the subdivision under Section 49.35.210(c)(1)(C).

Problem — Title 49 / State of Alaska roadway classification issues:

Section 49.35.210(b)(3)(A) requires: All of the resulting lots must meet the minimum lot area standard for a single-family dwelling in the D-1 zoning district (36,000 square feet).

North Douglas Highway is a State of Alaska roadway with a current DOT functional classification being Major Collector per ak.dot maps — see link below

[https://akdot.maps.arcgis.com/home/webmap/viewer.html?](https://akdot.maps.arcgis.com/home/webmap/viewer.html?webmap=8d34059bbfed4fada20a4fdc2a138aca)

[webmap=8d34059bbfed4fada20a4fdc2a138aca](https://akdot.maps.arcgis.com/home/webmap/viewer.html?webmap=8d34059bbfed4fada20a4fdc2a138aca)

Section 49.35.210(c)(1)(C) regarding Major Collector states: (C) Exception a parcel of land with less than 500 feet of frontage or less than 350 feet of depth may be subdivided so as to allow access directly onto a major collector street.

Our lot meets this Major Collector exception, and could be divided into two parcels if current DOT functional classifications for state roadways governed Title 49 roadway classifications.

How would you propose improving Title 49 relevant to this submittal?

Proposed Suggested Improvement:

Section 49.35.230 - Roadway classification map states — There are adopted roadway classification maps A—D, dated June 5, 2006, as the same may be amended from time to time by ordinance. These maps set forth the classification of streets and roadways within the CBJ. The roadway classification maps will govern references to streets in this title.

Editor's note— Sec. 26 of Serial No. 2015-03(c)(am), adopted Aug. 31, 2015, repealed and reenacted § 49.35.230 in its entirety to read as herein set out. Former § 49.35.230 pertained to design criteria and derived from Serial No. 87-49, 1987; and Serial No. 95-27, 1995.

It seems justified that Title 49 governing roadway classification maps should be amended (updated) to reflect current DOT map functional classifications for state roadways since these transportation links are developed and maintained by the State of Alaska. I spoke with Michael Schuler of DOT's Property Office Management for Region regarding this inconsistency in roadway classifications, and was told that they are aware of this inconsistency, and question why their functional classifications do not govern state roadway issues. He stated that he would be very receptive to discussing this issue further with those rewriting Title 49. Michael's contact number is (907) 465-4499.

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