



**ASSEMBLY LANDS HOUSING AND ECONOMIC
DEVELOPMENT AGENDA**
September 29, 2025 at 5:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

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. **September 8, 2025, Draft Assembly LHED Minutes**

F. AGENDA TOPICS

1. **Title 49 Rewrite, Phase 1 Wave 2: Reasonable Accommodation, Zoning Maps, and Subdivisions on Arterials**
2. **Holm Driveway and Utility Easement Application**
3. **Sams Request to Purchase City Property**

G. STAFF REPORTS

H. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS • Parks and Recreation Advisory Committee (PRAC) Update • Planning Commission Update • Docks and Harbors Board Update

I. NEXT MEETING DATE - NOVEMBER 3, 2025

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.

ASSEMBLY LANDS HOUSING AND ECONOMIC DEVELOPMENT MINUTES

September 8, 2025 at 5:00 PM

Assembly Chambers/Zoom Webinar



<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

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

Members Present: Chair Wade Bryson, Paul Kelly, Ella Adkison, Neil Steininger

Other Assembly Members Present: Mayor Weldon

Liaisons Present: Paulette Schirmer, PRAC liaison

Liaisons Absent: Lacey Derr, Planning Commission liaison; Jim Becker, Docks & Harbors Board liaison

Staff Present: John King, Deputy Lands Manager; Breckan Hendricks, Municipal Clerk; Jill Lawhorne, CDD Director; Scott Ciambor, Planning Manager; Joseph Meyers, Housing & Land Use Specialist

D. APPROVAL OF AGENDA – approved as presented

E. APPROVAL OF MINUTES

1. August 4, 2025 Draft LHED Minutes – approved as presented

F. AGENDA TOPICS

1. Community Development Block Grant Recommendation

Mr. Ciambor discussed this topic. Chair Bryson asked if we have to choose at this committee to sponsor either the Southeast Childhood Collective application block grant, or the St. Vincent's block grant and then forward that to the assembly. Mr. Ciambor replied that was correct and noted that the recommended motion for the committee in the packet was to forward a resolution naming St. Vincent de Paul as the co-applicant for the FY26 Community Development Block Grant. Based on the red folder item, the recommended motion would be to switch that to the Southeast Childhood Collective, which is formerly AEYC, as this year's partner for the CDBG grant program.

Mayor Weldon said that she wasn't at the meeting that put the Sobering Center off to the side and not put it forward, so it seems silly not to put something for this Community Block Grant, but my question would be, I think all of us support Southeast Childhood Collective building and childcare, but I don't know that we all support the design, so my question would be, if they did get this grant, is there room for modification or does it mean that they have to do this project. We have not asked the group if we support the project, so I'm just seeing if there's room for modification, if at some point they come to us for money, and we'd say you need to make your project smaller. Mr. Ciambor repeated the question that if Southeast Childhood Collective is recommended as the applicant for this year's CDBG grant, and then in the next couple months if Southeast Childhood Collective staff finish the application proposal for the grant funding, would there be design changes after that grant has been submitted, is that the correct question? Mayor Weldon replied that the simplest question is if they received the grant, can modifications be made to the design and still keep the grant? Mr. Ciambor replied that federal HUD grants are pretty stringent and strict, so basically when an application is submitted for the grant funding that typically is going to be relatively close to the end project. Once the award is made, usually in February-March, then the state has to come in and put in together a

negotiation award grant contract. There can be some modifications at that point, but typically once the applicant signs with the state, the federal government, those tend to be what their project's going to be.

Mayor Weldon followed up to say that it seems like they're applying for, at least what's in our packets, Phase 2, do they have all their funding for Phase 1? And if not, why aren't they going for Phase 1 funding instead of Phase 2? Mr. Ciambor replied that it was his understanding that this is for Phase 1, as noted in the application in the packet. Mayor Weldon said she was looking at the designs and what they circled it look like it says Phase 2, so maybe the design has nothing to do with it. Mr. Ciambor replied that his recollection of the application is that they included as much as information as they had, and they did talk narratively about all phases, but again, the request was for Phase 1 design. Mayor Weldon added that she would suggest that we put a different design in the packet when we apply because it definitely shows Phase 2 is circled, not Phase 1.

Mr. Kelly had a follow up to Madam Mayor's first question, she was interested in knowing if it could be changed after the application is made, but if Madam Mayor had specific changes that she wanted to pursue with SCC, how long would she have to pursue them before the application is submitted? Mr. Ciambor replied that the timeline for this project is if the assembly passes a resolution to work with an applicant, staff will then begin a process of putting together the final application that's typically due the first week of December. There are minor details changes to meet requirements and additional information that's required for the grants that we help them put together that is obviously not in this packet. Probably until end of November for final changes for the applicant's submittal that they would want to turn in.

Ms. Adkison said that there's obviously quite a bit less of block development grant funds than their total Phase 1 cost, do we know where they are planning to get the rest of the roughly \$11 million? Mr. Ciambor replied that basically, the answer is we don't have all the details, just their submittal in terms for how they would apply for the Community Development Block Grant, as part of Phase 1. I think it's been pretty clear in there that Phase 2 and 3 are to be determined.

Ms. Adkison moved to forward a resolution naming Southeast Alaska Childhood Collective as the co-applicant for the FY26 Community Development Block Grant for their Childhood Family Center Phase 1 project to the Assembly for the FY26 Community Development Block Grant (CDBG) for consideration at the September 15, 2025, meeting. Motion approved unanimously.

G. AGENDA TOPICS

1. National Flood Insurance Program (Verbal Update)

Ms. Lawhorne gave an update on this topic and provided a high-level recap of the issues that CDD runs into when it comes to floodplain development permitting along the Mendenhall River. We have floodplains and flood zones throughout the whole community, and as we move forward, we're hoping to gain some sort of special exemption for now, for lack of a better term. If we're going to be successful in reaching an agreement with FEMA and other agencies, we're going to have to be reasonable and acknowledge that this special permit is probably only for the GLOF-impacted flooded areas, and not relevant to the other, normal floodplain development areas that we have throughout the borough, Tee Harbor, for instance. When it comes to floodplain development permitting, I want to take a step back, because for once, the zoning and the land use doesn't start at Juneau level. It really starts at the federal level, and it's pushed down throughout all the communities across the country that opt into the National Flood Insurance Program (NFIP). The NFIP, is a federally backed insurance, so that properties located in floodplain development areas, you opt into these federally developed regulations that each community adopts. By opting in, you're saying, okay, we agree to these terms and in return if we have an event then the insurance will be paid out on the claims. That all works great for the most part and it's manageable in normal times, and it works fine. The problem with the NFIP is that it maps the 100-year flood event and a 100-year flood event shouldn't be

happening that often. Back to 2019, pre that, FEMA goes out and they map the borough, and they map every community that chooses to participate across the country. The local municipality has to adopt those maps, and along with those, you adopt the federal regulations as your own, which is what Juneau has done and what many other communities do. Our federal regulations that we adopt as our own here are exactly the same as Miami, Florida, or Boston, or Des Moines, Iowa. It really doesn't matter how different we are, it's more or less the exact same code and, therefore incredibly prescriptive, not tailored, and does not provide a lot of discretion, if any, to the Floodplain Administrator, which is me, as the director, and also the Floodplain Manager, with the acting right now is Forrest Courtney, our Senior Planner, who is on his way to becoming a certified Floodplain Manager. We adopted these maps in 2019, and for those of you who were here, you'll know that in 2019 the river split, and we got a new oxbow, the maps were then already outdated. In order to do this mapping, you have to go out and do the entire length of the river.

The H&H studies hydraulic and hydrologic mapping of the entire river, with each private property owner doing riprap or armoring, with all properties owners doing this for every single project, if we're going to follow the regulations accordingly. For a 100-year flood event that doesn't happen that often you can get through that. If you look back, and if any of you remember when Meander first came in around 2016 or 18, or it might have been 19, it was already cost prohibitive. Now fast forward and we're not just dealing with a 100-year flood, we now have the GLOF, which is more like the impacts of a 500-year flood event that's happening not once, but potentially twice every single year, from here on out. The code simply doesn't have the flexibility or the discretion built in to accommodate this type of circumstance, it was never anticipated and we're the only ones across the nation dealing with GLOFs. Today I met with a property owner, the city manager, and Mr. Ciambor, and there aren't great answers. We are trying our best to work with property owners to keep us compliant with the NFIP, because as long as we are opted in, and I do believe that the community wants to remain opted in and wants to receive the flood insurance benefits through the program, then we need to figure out a way to be successful in doing this program here. The city manager's office, the Assembly, and even Senator Sullivan, have been working hard to work with the feds to try to figure out a path forward for Juneau. Mr. O'Shaughnessy and I have been working on a quick draft of an MOU, of what this could start to look like with FEMA.

I became director in 2018, and in 19, the EPW director, the chief engineer, and the city manager and I were getting together because we were dealing with Meander Way and other properties. We worked with FEMA and their mapping consultants to create what we internally called the No Rise Policy, which essentially said that if we had a flood, and you lost your property that went in the river, essentially, your river's edge, if you were only looking to put riprap back, the armoring, the brocks back, and create the slope that was needed, you can't do a 90 degree angle, you have to have that angle of repose. I'm not an engineer, so bear with me, but you need to have that repose, so it won't just fall, we had it worked out through our internal policy with FEMA, this informal policy was as long as you were only building back your riprap and that angle, you didn't need to do that full modeling of the entire river. You did everything else, though, pre-site work, have your engineer come out to look at the site, do a survey, do an as-built, do your construction designs, make sure they're stamped by an engineer, licensed in Alaska, and also have an as-built post work, and again, stamped. As long as you weren't going past, you weren't encroaching back into the river, we were good. We were really good up until about this past year when that has fallen apart to a greater degree. I think that having that path and option back for us, but maybe on our part we're going to have to be reasonable, we need an engineered, reasonable response that allows the NFIP to allow us to remain in good standing. I think it's reachable, but we need support, and I do know that the manager's office and the assembly are working on it. You have meetings coming up very quickly discussing this and future work, so we're looking forward to working with everyone.

Chair Bryson noted that there is a more stringent level of qualifications that could potentially get us a discount on our flood insurance if the city took extra steps but has discovered since hearing about that, it

might not be practical. Could you maybe speak to that we're doing and everything that we need to be on our level. Ms. Lawhorne replied that we were speaking about the community risk mapping and the community mapping survey. There are some communities where it makes sense for you to have FEMA come out, they'll map your floodplain or special hazard areas, usually for the 100-year flood, and that's all they do. Some communities choose to go even beyond that and map greater risks, it's dependent on what that community faced, it can look different for different places, but you essentially map those risks, you adopt them, the regulations and permitting, typically into code and permitting. You opt in and then usually pay a certain fee, but I would have to check on that. The idea at the end of it is because you've opted in, because you've held yourself to this higher engineered standard, you receive a reduction on your insurance rates. We heard the last time we looked at this, and I think that it was at the beginning of the hazard mitigation planning discussion, maybe about 9 months ago, I believe at that time, our rates weren't high enough that there was really a benefit to do that added level of permitting and regulations to a greater portion of the valley. I can look into the details of that plan a little more and get back to you and submit something in writing to the committee if you like. Mr. Bryson replied that as the GLOF has happened, that this has been mentioned a few times and I asked about this so that it would be on the record. We've looked into the higher level of NFIP, and if it is practical, would the efforts that go in from the city translate into real discounts for the community, and it sounds like you guys are focusing your efforts on the Mendenhall-GLOF area right now anyways.

2. Housing Presentation Slides to AARP Juneau

Mr. Ciambor discussed this topic. Chair Bryson asked how he would rate our housing development activity, is it high, medium, low? Per capita, if we compared our city to another city that was maybe not facing the same housing crisis as us, do we have things in the hopper that are developing, or are we just average right now? How would you rate our housing development skills here in our community? Mr. Ciambor noted the charts in the packet on pages 43 and 44 and said that since COVID, since 2020, everything is increasing, so it's growing. We are currently meeting the 66 new units per year in most years, so that is a good trend. The data also shows that building single-family homes has been the most constant creation in this community for decades. It's right in that 30 to 60 realm every year, so that's the most consistent. It seems like other housing types tend to fluctuate. The other thing that this data is starting to show is the importance of the incentives. We also see that in the volume of applications and the inquiries for the housing fund that developers who are potentially not even considering a housing project because of cost, see this incentive and a potential gap for financing fees, and now all of a sudden they are thinking about how to really make it work. We're seeing higher volume of applications, more interest, and so I think that the housing, I would characterize it as, in good status to be in, and moving forward.

Mayor Weldon asked about the chart on page 44, the top of the column there's a lot of red. Mr. Ciambor replied that this graph is showing permitted and certificate of occupancies not issued, and the red is showing that these certificate occupancies have been permitted but they haven't been closed out. Basically it shows you that there's units to come online, they've been permitted, but they're not live units on the ground for people to live in. Mayor Weldon followed up to say that in other words, they're permitted, they're just not finished, but they're in progress. Mr. Ciambor agreed.

H. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

- Parks and Recreation Advisory Committee (PRAC) Update – Ms. Schirmer gave an update that they had two meetings since the last LANDS meeting, and the predominant topic has been the Adair – Kennedy pickleball courts, what we're doing, why it hasn't been finished, and that doesn't meet the pickleball needs. They want us to go back to the drawing board on that. We will get more information in November, the plans have been made, there was public comment on the plans, they're saying they didn't see the

plans, standard SOP. The other big topic was the disc golf that's going on over in Douglas currently has plans to expand out to 18 holes on the same footprint. The Jensen-Olson Arboretum commercial use has increased, and they donated 200 pounds of produce and continue to participate in the seed exchange, but have seen a reduction in tourism.

- Docks and Harbors Board Update – no update
- Planning Commission Update – no update
- Mr. Kelly commented that a couple weeks ago he met with Manager Koester, Mr. Bleidorn, Ms. Lawhorne, and Mr. Meyers and had some thoughts about possible modifications to the Affordable Housing Fund and how it's incentivized. My thinking is that there are certain professions that help to make Juneau more livable, for our kids and elders, and I was thinking along the lines of finding some way to incentivize less expensive or more affordable housing for people with maybe professional licenses in those fields, such as teachers, nurses, paraeducators. The rules for the Affordable Housing Fund that will be set for next year, we could have that up for discussion. They would need to be referred to the COW by February of next year in order to continue working with staff on these ideas. I wanted to know what this committee's level of support is. I spoke with Ms. Lawhorne, just before the meeting, and it's my understanding that Mr. Meyers has already started a little bit of work on this, so I just wanted to get your thoughts about that. Chair Bryson replied that we looked into potential housing benefits for police officers as one of the initial brainstorming ideas on how to help recruit police officers, and there were some nuances around that. He's happy to have this as a topic at Lands so that we could maybe get some of those nuances out and likes the idea of being able to incentivize that idea, there's some merit to that. Chair Bryson proposed discussing this with Mr. Kelly a little bit more, and then bring it back to Lands. Mr. Kelly agreed that it was acceptable and asked if committee wanted to give staff any direction to continue working on this. Chair Bryson asked if there are any objection from the committee for Mr. Kelly and himself to work with staff to see if they could develop something. No objections from the Committee, and Chair Bryson confirmed with Mr. Meyers that he would be in touch about this.

I. NEXT MEETING DATE – September 29, 2025

J. SUPPLEMENTAL MATERIALS

1. Community Development Block Grant (CDBG) & Sobering Center Memo 9.08.2025

K. ADJOURNMENT – 5:43pm

Title 49 Rewrite

Phase 1 Wave 2 Amendments

Rob Dumouchel, Special Projects Planning Manager
Lands, Housing, and Economic Development Committee

29SEPT25

Title 49 Project Vision & Goals

The updated Title 49 will be **streamlined and easy to understand**, improving the experiences of the public, the development community, and CBJ staff. Title 49 will be **modernized** to better meet current needs and set CBJ up for success in the future.

Goals

Reduce
Uncertainty for
Applicants

Remove
Unnecessary
Barriers to
Development

Reduce Time to
Acquire Permits

Title 49 Project Phases

Phase 1

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Short- to Mid-Term Needs

Phase 1.5

Transformative Change	
Restructuring	Comp Plan Alignment
Translation to Plain English	

Technical Rewrite

Phase 2

Post-Comp Plan Updates

Public Process



Phase 1 Wave 1 – Ord 2025-15

- Adopted 7APR25

Use Not Listed

Transition
Zones

Adjustments
to Approved
Permits

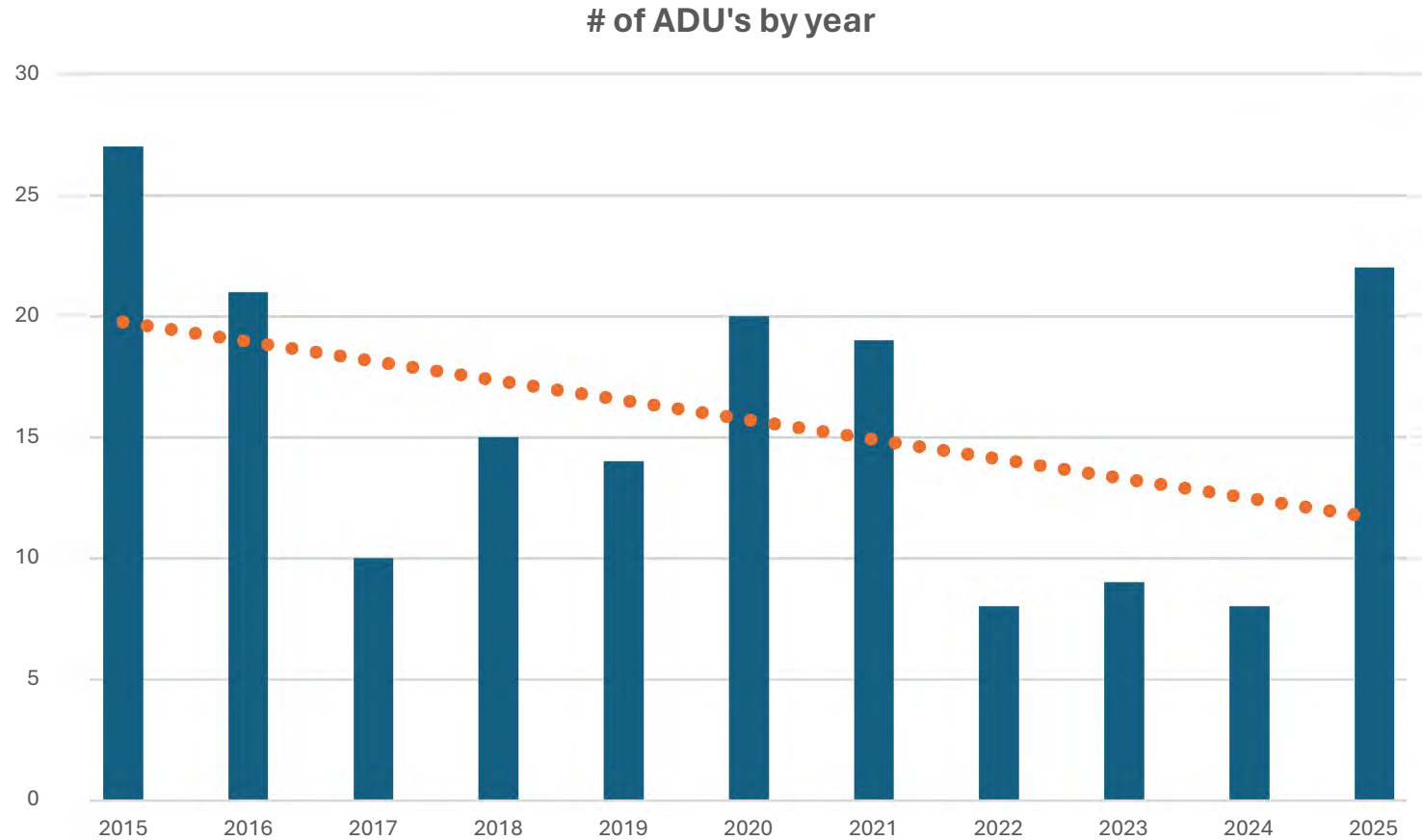
Rules of
Construction

Accessory
Dwelling Units

Caretaker
Units

Major v. Minor
Developments

Phase 1 Wave 1 – ADU Permits



Data for 2025 reflects a partial year (January to mid-September)

Phase 1 Wave 2 – Ord. 2025-40

- Concepts initially discussed at 13FEB25 Title 49 Committee Meeting
- Introduced by Assembly 22SEPT25
- Title 49 discussion 24SEPT25
- Lands Committee Presentation 29SEPT25
- Planning Commission Public Hearing 18NOV25
- Assembly Public Hearing 15DEC25

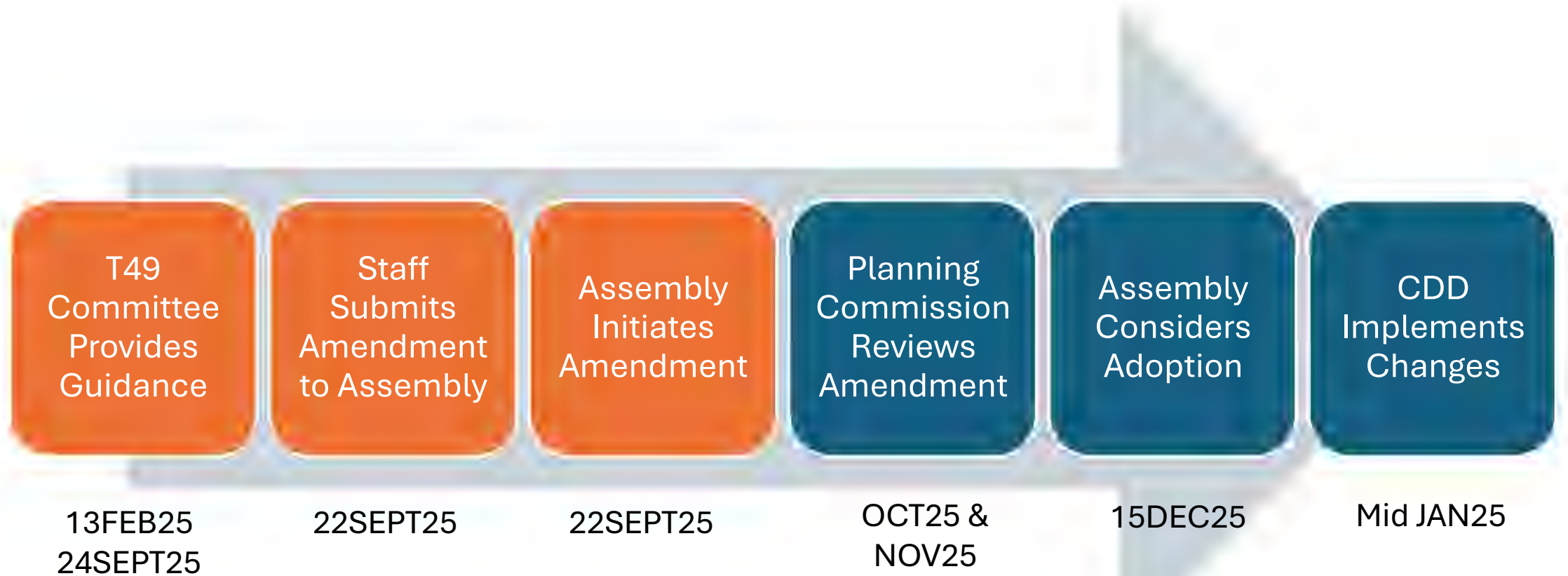
Reasonable
Accommodation

Zoning Map

Subdivisions on
Arterials

Marijuana

P1W2 Public Process Progress



Reasonable Accommodation

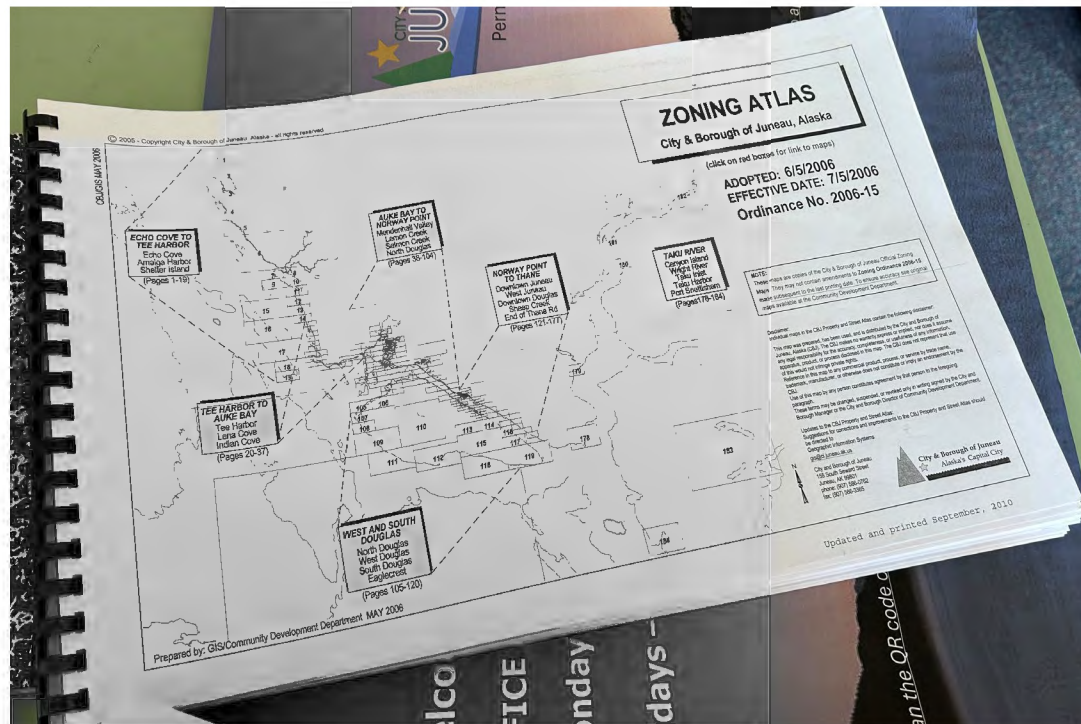
- This new section of code is intended to give structure to the process of handling reasonable accommodation requests under the **Federal Fair Housing Act**
- Having reasonable accommodation code provides clarity for staff and the public regarding process and it protects the rights of those with disabilities to equal access to housing

Reasonable Accommodation

- 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
- Example: allowing a ramp to be built within a setback to allow a person who uses a wheelchair for mobility to access the entrance to an existing home

Zoning Maps

- This amendment modernizes CBJ's official zoning map to allow the use of a digital map as opposed to a paper atlas



Zoning Maps

- Clarifies that the director may revise the official zoning map to reflect changes in boundaries caused by naturally occurring changes to land
- This does not change processes to change the map (i.e., rezonings)
- Moves **49.25.120 – Districts adjoining water or tidelands** into Zoning Maps

Subdivisions on Arterials

- Currently, the minimum resultant lot size for a subdivision on an arterial is the D-1 minimum of 36,000 square feet regardless of the underlying zone district
- This is a frequent barrier to housing development

Subdivisions on Arterials

- This amendment would remove the D-1 requirement and allow subdivisions to use the minimum lot size of the underlying zone district

D-1	D-3	D-5	D-10SF	D-10	D-15	D-18
36,000	12,000	7,000	3,600	6,000	5,000	5,000

- There are multiple property owners currently interested in this change who want to build housing

General Housekeeping

- Removal of references to the **Coastal Management Program** which was otherwise removed from T49 by Ordinance 2021-13
- Removal of references to the **Subdivision Review Committee** which was ended by Ordinance 2020-06
- Removal of a **landslide** reference missed by Ordinance 2023-18(am)

Coming Soon!

- Marijuana Updates

- Originally intended as part of Ordinance 2025-40, split into its own ordinance because it impacts more than just Title 49
- Remove **Chapter 49.65 – Marijuana** and downgrade some uses from conditional to principally permitted in commercial and industrial zone districts
- Update **Chapter 20.30 – Marijuana** (Business Regulations)
- Update **Chapter 01.65 – Action on State Permits and Licenses** (Marijuana Licenses)

	LC	GC	MU	MU2	I
Testing	P	P	P	P	P
Manufacturing		P			P
Cultivation					P



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



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: 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**.



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: 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.



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

23
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

1
2 housing consistent with the Federal Fair Housing Act. A request for a change or
3 exemption under this section may only be granted if the following are met:

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

9
10 (c) *Review authority.*

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

20
21 (d) *Review procedure.*

- 22 (1) *Time period.* The Director shall grant, grant with conditions or deny an
23 application under this section within 45 days of receiving a complete application.
24 (2) *Information.* If necessary to reach a determination under this section, the
25 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 ***

1
2 **Section 6. Amendment of Section.** CBJC 49.15.404, Public way vacations, is amended to
3 read:

4 **49.15.404 Public way vacations.**

5 ***

6 (d) Commission review process.

- 7
8 (1) After determining the application is complete, the department shall provide
9 public notice consistent with CBJ 49.15.230.
10 (2) The director may transmit copies to other public or private entities that may
11 have an interest in the proposal for their comments.
12 (3) The director of engineering and public works shall review the application and
13 present written comments, including any recommended conditions of approval, to
14 the director of community development.
15 ~~(4) The director or applicant may request review and comment by the subdivision~~
16 ~~review committee.~~

17 ***

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

20 **49.15.411 Preliminary plat requirements.**

21 ***

- 22
23 (i) Additional mapping or reports. If required by this title or by the director, the following
24 additional mapping or reports shall be submitted with the preliminary plat:
25 (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

1
2 subdivision site or shown on the overlay maps, adopted pursuant to this title, to
3 exist at the proposed subdivision site, must be depicted on the preliminary plat;

4 ***

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

7
8 **49.25.110 Official zoning maps.**

- 9 (a) *Adopted.* The maps contained in the atlas publicly available on or through the City and
10 Borough's website entitled "Zoning Map of the City and Borough of Juneau, Alaska,"
11 dated June 5, 2006, and consisting of sheets 1-184, as the same may be amended from
12 time to time by the assembly by ordinance, are adopted and made a part of this title.
13 shall constitute the official zoning map of the City and Borough.
- 14 (b) *Changes to the official zoning map.* Changes made in zoning district boundaries or other
15 matters portrayed on the official zoning map shall be made only by the director or the
16 director's designee and only to reflect lawfully adopted changes.
- 17 (c) *Naturally-occurring changes to the land.* The director may revise the official zoning map
18 to reflect changes to zoning district boundaries that result from naturally occurring
19 changes to the land, including but not limited to erosion, avulsion or accretion. Changes
20 to the zoning map arising from naturally occurring changes to the land are exempt from
21 the amendment procedures in this code.
- 22 (d) *Maintained on file.* All versions of the official zoning maps shall be retained by the
23 City and Borough in accordance with the City and Borough retention schedule remain on
24 file in the department and shall be identified by signatures of the City and Borough
25 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.

1
2 **Section 9. Amendment of Section.** CBJC 49.35.210, Street system, is amended to
3 read:

4 **49.35.210 Street system.**

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

- 7 (1) The street system shall provide for connecting streets into adjoining
8 unsubdivided lands.
9
10 (2) Subdivision street systems shall be designed to maximize the number of
11 connecting streets in a given area in order to reduce the volume of traffic and
12 traffic delays on major streets (arterials and major collectors), to minimize
13 bypass and through trips on residential streets, and to increase the number of
14 local street connections facilitating safer bicycle and pedestrian travel.
15 (3) Traffic calming should be taken into account in street layout and design.

16 (4) For purposes of this section, “arterial street” means a street or road that carries
17 traffic between different areas of the City and Borough. “Collector street” means
18 a street or road that is designed to collect traffic from neighborhood streets and
19 channel it towards major and minor arterial streets. A “major” street means a
20 street or road that has high volumes of traffic. A “minor” street has low volumes
21 of traffic.
22

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (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.

1
2 (de) *Collector streets, general.* Collector streets in adjoining subdivisions shall be continued
3 in the new subdivision as needed.

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

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

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

11 (2C) ~~Exception a~~ A parcel of land with less than 500 feet of frontage or less than 350
12 feet of depth may be subdivided so as to allow access directly onto a major
13 collector street.

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

16
17 **Section 10. Amendment of Section.** CBJC 49.70.130, Concept review, is amended to
18 read:

19 **49.70.130 Concept review.**

20 ***

21
22 ~~(d) *Subdivision review committee.* Prior to formal submittal, the master plan shall be~~
23 ~~reviewed for conceptual approval by the subdivision review committee of the~~
24 ~~commission.~~

25 ***

1
2 **Section 11. Amendment of Section.** CBJC 49.80.120, Definitions, is amended to
3 read:

4 **49.80.120 Definitions.**

5 ***

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

7 ***

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

10 ***

11 ***

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

17 ***

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

20 **Section 13. Effective Date.** This ordinance shall be effective 30 days after its
21 adoption.
22

23
24 Adopted this _____ day of _____, 2025.
25

Beth A. Weldon, Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Attest:

Breckan L. Hendricks, Municipal Clerk

MEMORANDUM

CITY/BOROUGH OF JUNEAU

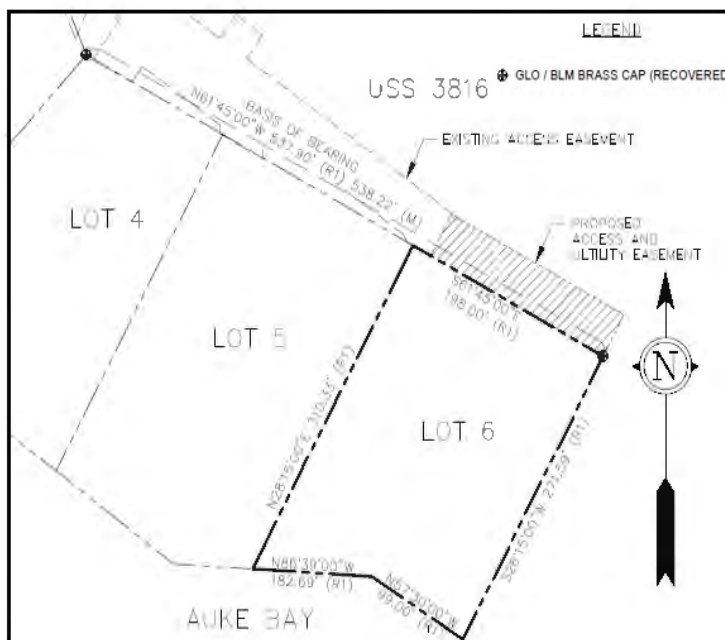
Lands and Resources Office
155 Heritage Way, Juneau, Alaska 99801
Dan.Bleidorn@juneau.gov
(907) 586-5252

TO: Wade Bryson, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Holm Driveway and Utility Easement Application
DATE: September 15, 2025

In 2005, the Smuggler's Cove Road Association (SCRA), an Alaska non-profit corporation, formed in part to construct and maintain a private driveway in an easement across CBJ land within Lots 2 and 3, U.S. Survey (USS) 3816 near the tip of the Mendenhall Peninsula. The members of the association were the owners of seven water-access parcels on Lots 1-6 USS 3297 and Lot 1 Rogers Subdivision that do not border CBJ right-of-way. In 2006, a Driveway Maintenance and Indemnity Agreement was executed to detail expectations of the SCRA members and CBJ including that CBJ shall not be obligated to provide any maintenance, grading or snow plowing for the access driveway. In 2009, a Driveway and Utility Easement was issued to SCRA members in perpetuity in accordance with CBJ Resolution No. 2343 and CBJ 53.09.300.

In August 2025, the Lands Office received an easement application from Bradley and Amy Holm, the owners of Lot 6 USS 3297. Their property is currently served by the existing easement but does not provide adequate accessibility. In order to access their

property, the application requests authorization to extend development of the driveway easement from the current termination close to Lot 5 USS 3297 to the northeastern boundary of Lot 6. Lot 6 is included in the existing easement from 2009 and this request is to extend it across their northern property line.



In accordance with 53.09.300(c), Lands staff forwarded this application to the Community Development Department and the Engineering & Public Works (EPW) Departments, and any additional comments or concerns will be included and

addressed in future recommendations. EPW provided comments stating that after reviewing this request this proposed extended easement would provide better access given the topography of the site and no concerns were noted.

CBJ Code 53.09.300(d) states that "upon receipt of the assembly lands committee recommendation, the assembly may, by resolution, authorize the manager to execute the easement under such terms and conditions as are authorized by the assembly." If the LHED Committee provides a motion of support for this request, a resolution will be presented to the assembly for review and public hearing. The resolution would contain terms and conditions to be included in the easement.

Staff request that the Lands Housing & Economic Development Committee forward this application for an easement extension to the full assembly with a motion of support.

Attachments:

1. Res2343-Mendenhall Peninsula Easement Authorization
2. Easement Extension Diagram

Presented by: The Manager
Introduced: 01/09/2006
Drafted by: J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2343

A Resolution Authorizing the Manager to Convey a Driveway and Utility Easement Across a Fraction of Lots 2 and 3, U.S. Survey 3816, on the Tip of Mendenhall Peninsula.

WHEREAS, the City and Borough of Juneau owns Lots 2 and 3, U.S. Survey 3816, a parcel of land located on the tip of Mendenhall Peninsula; and

WHEREAS, a group of seven homeowners, of the Smuggler's Cove Pioneers Neighborhood Association, desire driveway access to their landlocked properties, on Lots 1-6, U.S. Survey 3297 and A.S.L.S. 70-3; and

WHEREAS, CBJ 53.09.300 authorizes the Manager to convey easements across CBJ land, upon approval of the Assembly by resolution; and

WHEREAS, comments on the proposed easement were solicited from Public Works, Engineering, Parks and Recreation, Community Development, and the Fire departments, resulting in no objections to the issuance of the easement; and

WHEREAS, the Planning Commission and the Assembly Lands Committee reviewed this proposed easement and recommended approval at their meetings July 26, 2005 and September 12, 2005, respectively.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Authorization. The Manager is authorized to negotiate and convey a driveway/utility easement, across a fraction of Lots 2 and 3, U.S. Survey 3816 to serve residences on Lots 1-6, U.S. Survey 3297 and A.S.L.S. 70-3, as generally shown in Exhibit A, subject to the terms and conditions established herein.

Section 2. Terms and Conditions.

- (a) The easement shall be perpetual.
- (b) The easement shall be revoked if the homeowners do not use the driveway for a period of five years.
- (c) The easement shall be revoked if the homeowners' property is served by a dedicated, constructed City and Borough street.
- (d) The City and Borough reserves the right to utilize portions of the driveway alignment for a dedicated City street.
- (e) The easement shall be used to serve single family or duplex residences on the homeowners properties. No commercial use is allowed.
- (f) Electric, telephone, water and sewer lines may be located in the easement corridor.
- (g) The easement is not exclusive. The City and Borough may grant other overlapping easements.
- (h) The homeowners are responsible for construction and maintenance of any improvements.
- (i) The City and Borough reserves the right of public pedestrian access along the easement.
- (j) The homeowners may gate the driveway to control vehicular access.
- (k) The homeowners shall provide an as-built survey of the driveway once constructed.
- (l) The driveway may be relocated to a new location upon direction of the Assembly in accordance with CBJ 53.09.300(i).
- (m) The homeowners shall obtain all authorizations and permits necessary to construct the driveway.
- (n) The cost of the easement shall be at the fair market value of \$32,400, as determined by appraisal.

- (o) Such other terms or conditions as the Manager finds to be in the public interest.

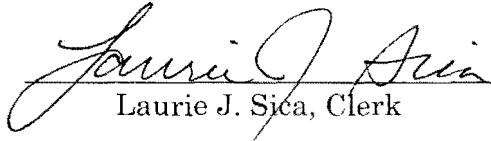
Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 9th day of January, 2005.

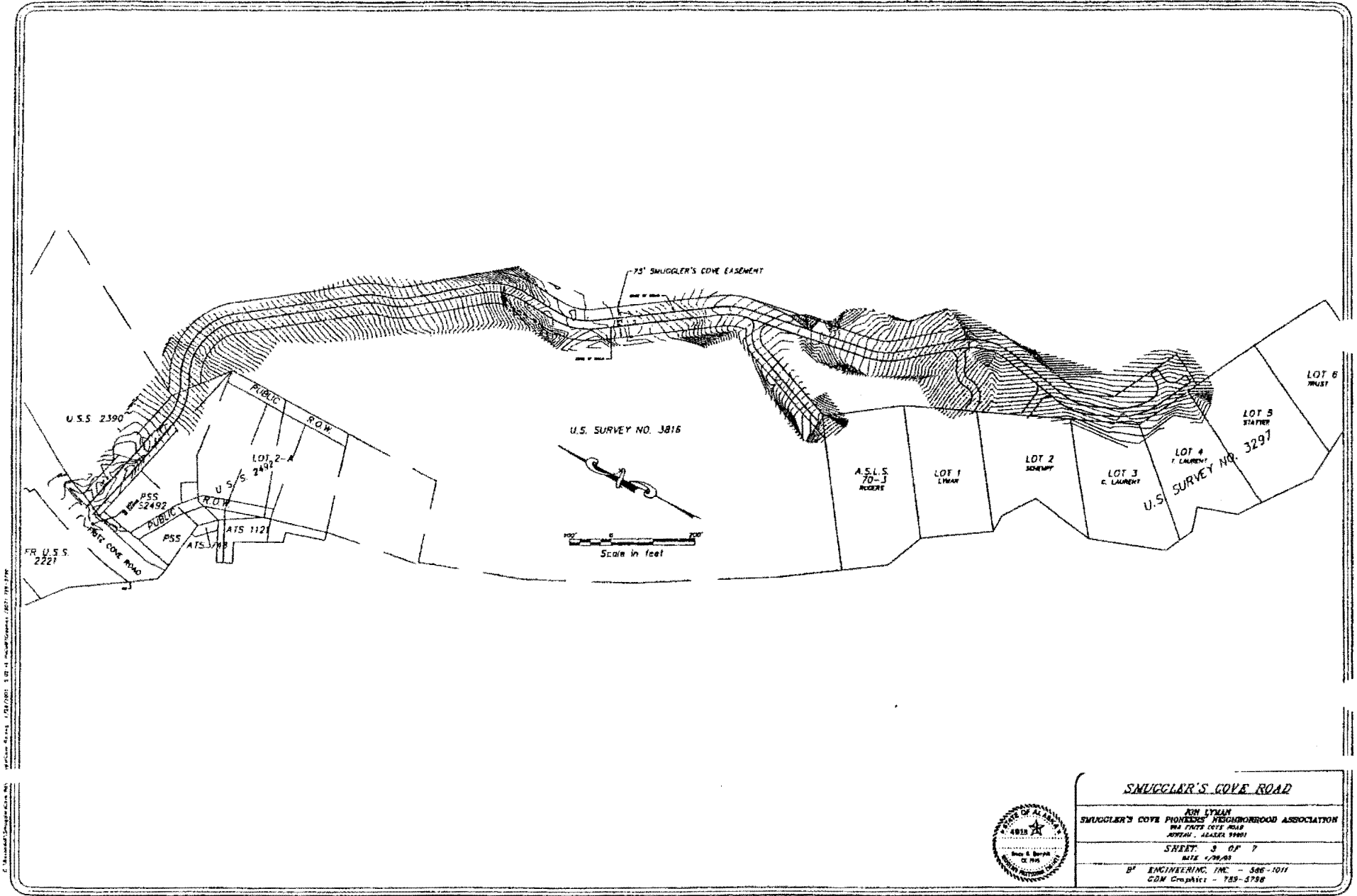


Bruce Botelho, Mayor

Attest:



Laurie J. Sica, Clerk

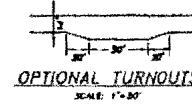
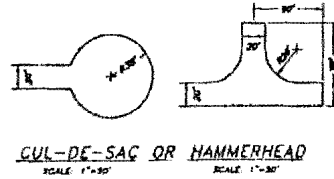
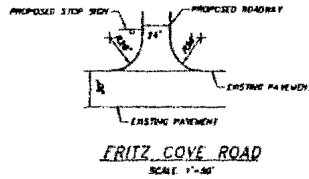
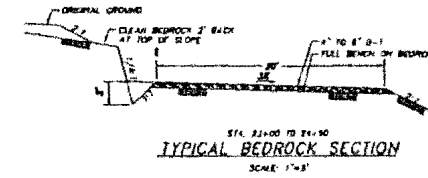
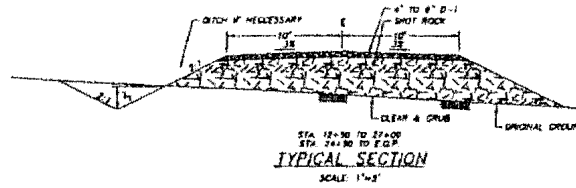
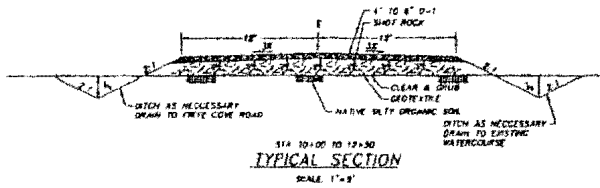


C:\msdnext\smuggler\smuggler.dwg
 1/20/05 3:02:43 PM
 1/20/05 3:02:43 PM
 1/20/05 3:02:43 PM



SMUGGLER'S COVE ROAD	
FOR LYLEAN SMUGGLER'S COVE PIONEERS' NEIGHBORHOOD ASSOCIATION 100 PIONEERS COVE ROAD JENSEN, ALASKA 99601	
SHEET 3 OF 7 DATE 1/20/05	
BY ENGINEERING, INC. - 506-1011 GDM CONSULT - 789-5798	

Exhibit A - Resolution 2343
 Page 1 of 2



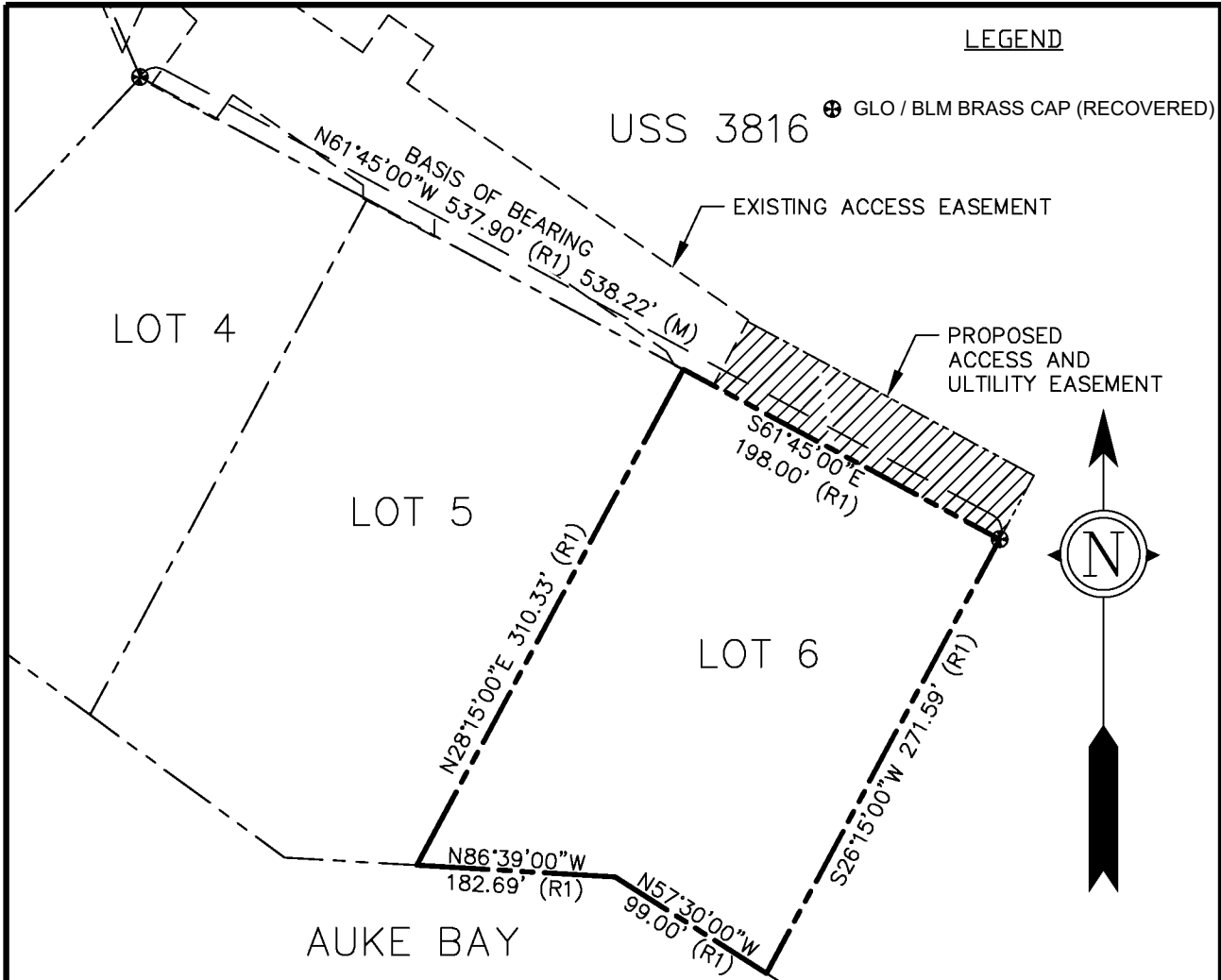
NOTES:

1. SE ENGINEERING MADE TOPOGRAPHIC MEASUREMENTS FOR THIS PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER. SE ENGINEERING DOES NOT EMPLOY A PROFESSIONAL LAND SURVEYOR. THIS IS AN ENGINEERING ROUTE DESIGN, NOT A SURVEY FOR A LEGAL DEFINITION OF AN EASEMENT ACROSS C&W LAND. AFTER CONSTRUCTION, THE SAUGLELLER'S COVE NEIGHBORHOOD ASSOCIATION (HEREINAFTER CALLED "THE OWNER") WILL HAVE A REGISTERED LAND SURVEYOR FOR AN AS-BUILT SURVEY, A FORMAL DEFINITION OF EASEMENT, AND A RECORDING OF A LEGAL PLAN.
2. BURNED POWER LINES AND OVERHEAD TELEPHONE LINES EXIST BEYOND THE BRIDGE. BEARING RESPONSIBILITY FOR WORK WITH THE UTILITY COMPANIES' WORK.
3. THIS DESIGN IS FOR A 20 FOOT TOP WIDTH. IF THE OWNER CHOOSES A 14 FOOT TOP WIDTH FOR COST SAVINGS, CONSTRUCT TURNOUTS AT 1000 FOOT MAXIMUM SPACING OR AT INTERMEDIATE SPACING.
4. THIS DESIGN MAINTAINS A MAXIMUM 13% PROFILE GRADE. IF THE OWNER CHOOSES STEEPER GRADES FOR COST SAVINGS, THE DRAINAGE SHOULD BE LEFT TO THE ABSOLUTE MAXIMUM.
5. THE BUILDER IS RESPONSIBLE FOR DIRT, SITE DISPOSAL OF TREES, BRUSH, SLASH, AND ORGANIC SOIL CLEARED FROM THE ROADWAY.
6. SUPERSEDATE THE DRAINING SURFACE IN CURVES AT SIX WITH HALF THE TRANSITION OUTSIDE THE CURVE.
7. NO GEOTECHNICAL INVESTIGATION WAS PERFORMED FOR THIS PROJECT.



SAUGLELLER'S COVE ROAD	
JON LYMAN SAUGLELLER'S COVE NEIGHBORHOOD ASSOCIATION 200 FRITZ COVE ROAD GIBBY, ALABAMA 35044	
SHEET 2 OF 9 DATE 4/22/06	
SE ENGINEERING, INC. - 586-1011 6001 GUNBARRE - 280-3798	

Exhibit A - Resolution 2343
Page 2 of 2



LEGAL DESCRIPTION:

BEGINNING AT THE A BRASS MONUMENT MARKING THE NORTHWEST CORNER OF LOT 4; THENCE, S61°45'00"E 538.22 FEET MEASURED (537.90 FEET RECORD) TO THE NORTHEAST CORNER OF LOT 6 OF USS 3297 MARKED BY A BRASS MONUMENT AND THE TRUE POINT OF BEGINNING; THENCE, N61°45'00"W, 179.19 FEET; THENCE, N28°11'31"E, 40 FEET ALONG THE BOUNDARY OF THE EXISTING ACCESS AND UTILITY EASEMENT; THENCE, S61°45'00"E, 179.23 FEET; THENCE, S28°15'00"W, 40 FEET TO THE BEGINNING, CONTAINING 7168 SQUARE FEET MORE OR LESS.

THE BASIS OF BEARING FOR THIS DESCRIPTION IS FROM A FOUND BRASS MONUMENT MARKING THE NW CORNER OF LOT 4, WHICH IS LOCATED N61°45'00"W FOR 538.22 FEET MEASURED (537.90 FEET RECORD) FROM THE TRUE POINT OF BEGINNING, TO A FOUND BRASS MONUMENT MARKING THE NORTHEASTERN CORNER OF LOT 6 AS SHOWN ON USS 3297.

RECORD INFORMATION:

RECORD BEARING AND DISTANCES FOR PROPERTY BOUNDARIES TAKEN FROM USS 3297, ACCESS EASEMENT DEFINED IN DOCUMENT 2009-000755-0 JUNEAU RECORDING DISTRICT.

NORTH 57*
LAND SURVEYING LLC
 (907) 747-6700 215-C SMITH STREET, SITKA, AK
 8800 GLACIER HWY., STE 224 1/2, JUNEAU, AK
 MAILING ADDRESS - 2007 CASCADE CREEK ROAD,
 SITKA, AK 99835
 EMAIL: north57landsurveying@yahoo.com

EASEMENT EXHIBIT

LOT 6 OF USS 3297 & USS
 3186 JUNEAU RECORDING DIST.
 JUNEAU, AK 99801

SCALE: 1 = 100'

FILE NO. 40603-01

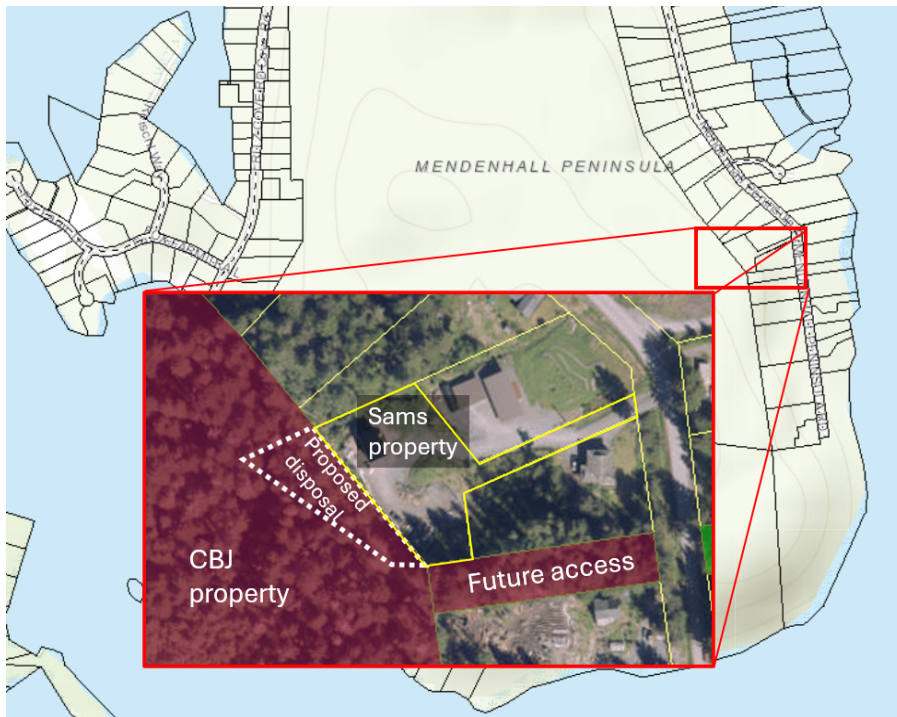
MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 Heritage Way, Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Wade Bryson, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Sams Request to Purchase City Property
DATE: September 25, 2025

In July 2025, Mark Sams submitted an application to purchase roughly an acre of CBJ-owned land adjacent to his property located at 1110 Mendenhall Peninsula Road. The application states that the requested property will be used to construct an addition to his existing home as well as additional future development. The application continues by stating that building on the other side of his structure is not feasible due to the septic system location.



City Code 53.09.260 states that the Assembly must determine “whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the Assembly by motion, the Manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.”

Given the nature and location of this request, it is not appropriate to solicit competition for this disposal. The applicant will be responsible for all costs associated with the minor subdivision and acquisition of this property including the fair market value of the land and recording fees. Proceeds from this proposed request will be deposited into the Land Fund.

The remaining CBJ property is unlikely to be developed in the near future due to the zoning, topography and distance from municipal sewer. The adjacent CBJ property with road

frontage on Mendenhall Peninsula Road is retained by the CBJ as a future access point to the large parcel adjacent to the applicant's lot.

The CBJ Engineering Department provided a preliminary review of this access point showing that a right-of-way through the CBJ property is possible, but the topography would likely require easements through adjacent properties to provide a full CBJ street. If the Committee and Assembly provide direction to negotiate this disposal, CBJ staff will negotiate terms that do not negatively impact this property as a future ROW access point to the large tracts on the Mendenhall Peninsula.

Staff request that the Lands Housing & Economic Development Committee forward this application to the Assembly with a motion of support for working with the original proposer for the negotiated sale of City property.

Attachments:

- 1 Mark Sams Land Purchase Application Letter
- 2 Potential Road Access

July 15, 2025

Click or tap here to enter text.

Dan Bleidorn
Lands and Resources Manager
CBJ Division of Lands and Resources
155 Heritage Way, Suite 218
Juneau, Alaska 99801

SUBJECT: OVER THE COUNTER LAND SALE AT 1110 MENDENHALL PENINSULAR ROAD

Dear Mr. Bleidorn:

I recently submitted an application to CBJ Division of Lands and Resources requesting an opportunity to purchasing a section of CBJ land adjacent to my existing property located at 1110 Mendenhall Peninsular Road. I appreciate your time in reviewing the application and working with me to work through the purchasing process for this raw land.

Background:

My wife and I purchased our existing parcel (Lot 25D) consisting of just under an acre (40,560 sqft) in spring of 2021 at 1110 Mendenhall Peninsular Rd. We have since built a boat condo style structure to allow our family to move on to the lot and out of a rental unit while we continue to plan and saving to construct a larger home. Our current structure consists of a 40-foot x 24-foot two story light timber construction. The first floor consists of a 16' tall boat storage bay on the first floor and the second floor is a two-bedroom caretaker's unit, 960 sqft total foot print with a net of 875 sqft livable space inside of walls. Our current lot is a pan handle shaped lot with a shared access with the two downhill neighbors (closer to the road). Both down hill neighbors have an easement on my driveway and I have an easement on one of my neighbor's lots to access the lower section of the driveway. See Figure 1 for my existing plat map with my lot highlighted in Red and the access easement in Blue. Figure 2 shows a proposed building addition in relation to our existing lot lines.

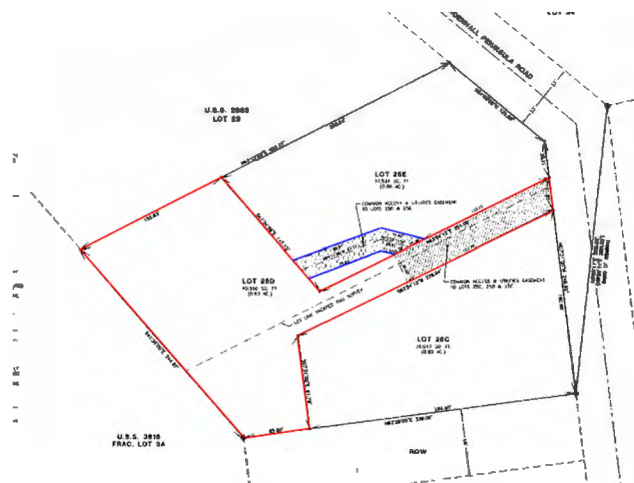


Figure 1: Plat Map

Parcel Proposal:

My wife and I are proposing to purchase a one-acre parcel of CBJ property adjacent to Lot 25D outlined in Figure 2. This parcel would be partitioned from the USS 3816 FRAC (ASLS 78-171 LT 3A FR) currently owned by CBJ. This 259.6 acre lot spans between the existing private lots on Mendenhall Peninsular Rd. and Fritz Cove Rd and is zoned Rural Reserve which has a similar minimum lot size to my current parcel zoned D-1. Due to the minimum lot size in the RR and D-1, I have proposed to purchase a 1-acre lot which would approximately match our current lot size and would allow for future development, i.e. second dwelling unit since the combined lot size would exceed the minimum 72,000 sqft for two dwelling units.

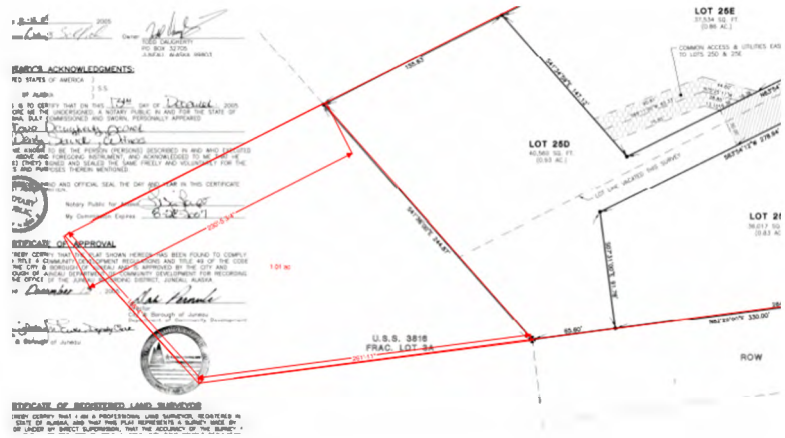


Figure 2: Proposed Property Acquisition Boundry

Our current goal for purchasing this adjacent land parcel is to allow us to construct an addition to our existing structure, turning our current residence from a (2) bedroom dwelling to a (4) bedroom dwelling. Since the structure has been constructed at the edge of our existing 25' property line set back, we would need to purchase CBJ property to facilitate this addition. We cannot expand further downhill toward Mendenhall Peninsular Road due to the septic system location.

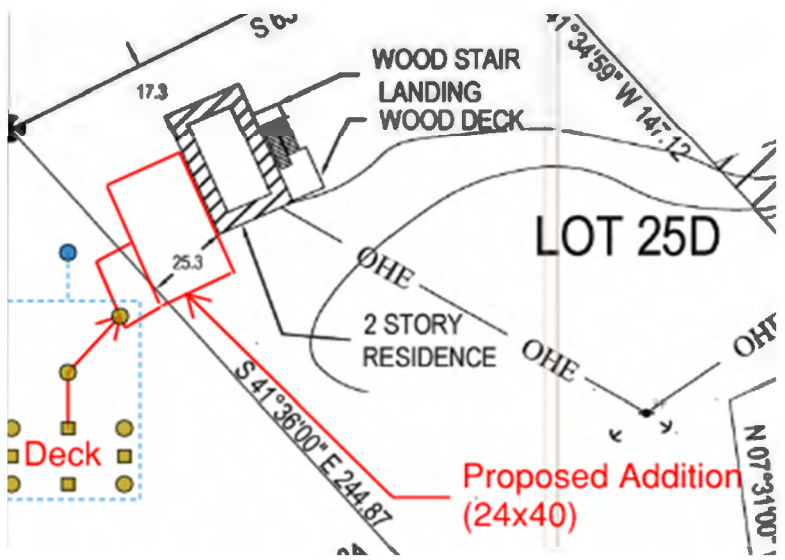


Figure 3: Proposed Addition in Relation to the Property Line

Our Family has currently outgrown our living space in the existing structure and developing an addition will allow us the most efficient process to expand our current living space.

Our plan is to develop an addition that matches our current foot print to double the size of our living space shown in Figure 3. This option will allow us to expand without costly kitchen, bathroom, or septic renovations.

Another option is to purchase just enough CBJ property to allow for our addition, but this does not appear to be the best approach for CBJ if the adjacent property is planned for future development. That development would likely be in one-acre units due to the current zoning. Only partially extending our existing property boundaries may force a non-uniform shape to future subdivision lots if CBJ decided to develop the adjacent property. Also, if we can expand our lot uphill, it would allow additional flexibility to construct a future driveway entrance if CBJ ever developed the existing right of way on the south end of our existing property.

Our proposed land acquisition is shown in Figure No. 2&4 and constitutes one acre of land by projecting my existing property lines uphill. The red linework in Figure 2 outlines my proposed property line extension and estimated area. Figure No.4 provides a satellite image with the proposed property boundary, indicating the current condition of the requested property. A red arrow is pointing to our currently constructed residence.



Figure 3: Satellite Site Image

Conclusion:

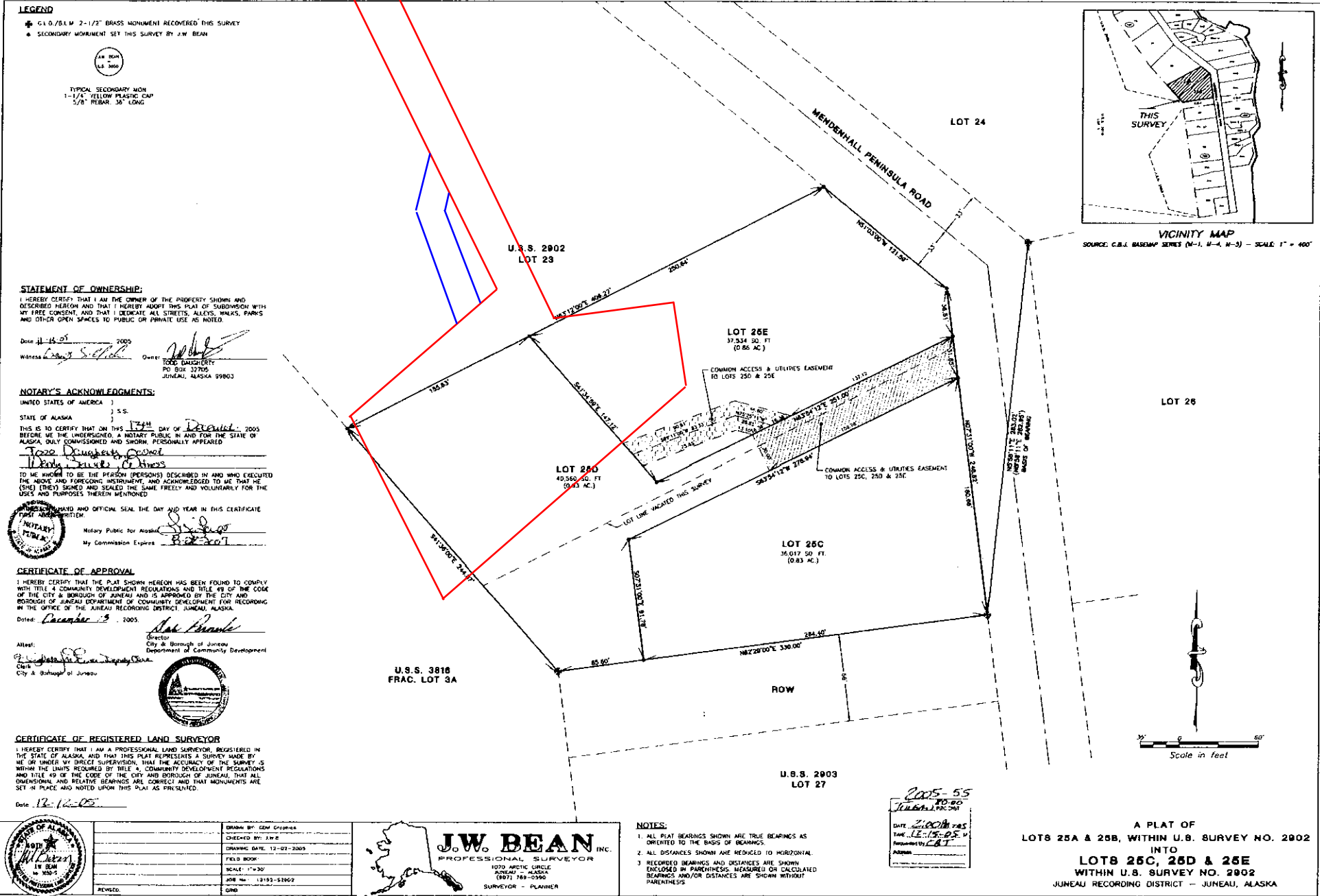
We appreciate your time reviewing this land sale request and are happy to address any concerns or questions you may have with this proposal. We look forward to working with you on addressing any concerns and are available most times to discuss if needed. I have attached full size exhibits to this letter for reference.

Sincerely,

A handwritten signature in blue ink that reads "Mark Sams".

Mark Sams P.E., S.E.

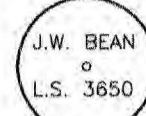
Figure 1



"Notice: We make no representation that this is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon."

LEGEND

- ⊕ G.L.O./B.L.M. 2-1/2" BRASS MONUMENT RECOVERED THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN



TYPICAL SECONDARY MON.
1-1/4" YELLOW PLASTIC CAP
5/8" REBAR, 36" LONG

Figure 2

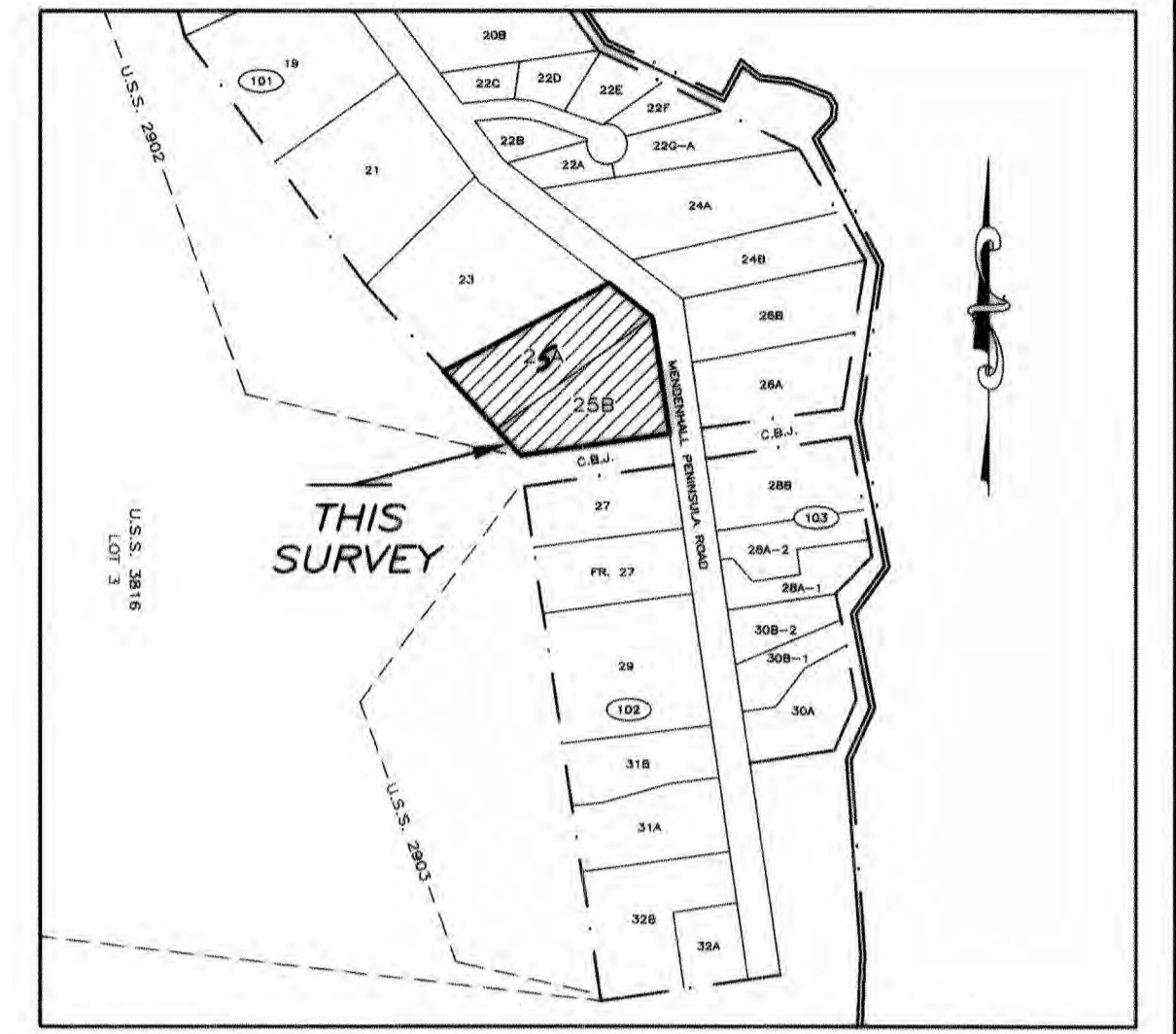


Figure 4

SCALE: 1" = 400'

STATEMENT OF OWNERSHIP:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND THAT I DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

Date 12-13-05 2005
Witness Wendy Seure Owner Todd Daugherty

TODD DAUGHERTY
PO BOX 32705
JUNEAU, ALASKA 99803

NOTARY'S ACKNOWLEDGMENTS:

UNITED STATES OF AMERICA)
STATE OF ALASKA) S.S.

THIS IS TO CERTIFY THAT ON THIS 13th DAY OF December, 2005 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED

Todd Daugherty, Person
Wendy Seure, Witness

TO ME KNOWN TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

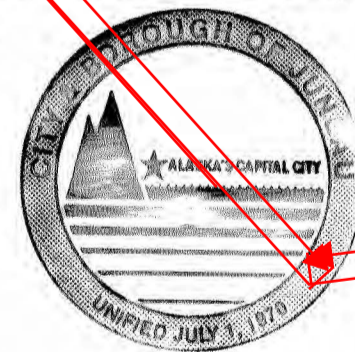
Notary Public for Alaska
My Commission Expires 8-28-2007

CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY & BOROUGH OF JUNEAU AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU DEPARTMENT OF COMMUNITY DEVELOPMENT FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

Dated: December 13, 2005

Attest: Alak Perante, Director
City & Borough of Juneau
Department of Community Development
Clerk: Debra M. Evers, Deputy Clerk
City & Borough of Juneau



CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4, COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

Date 12-12-05

1.01 ac

U.S.S. 3818
FRAC. LOT 3A

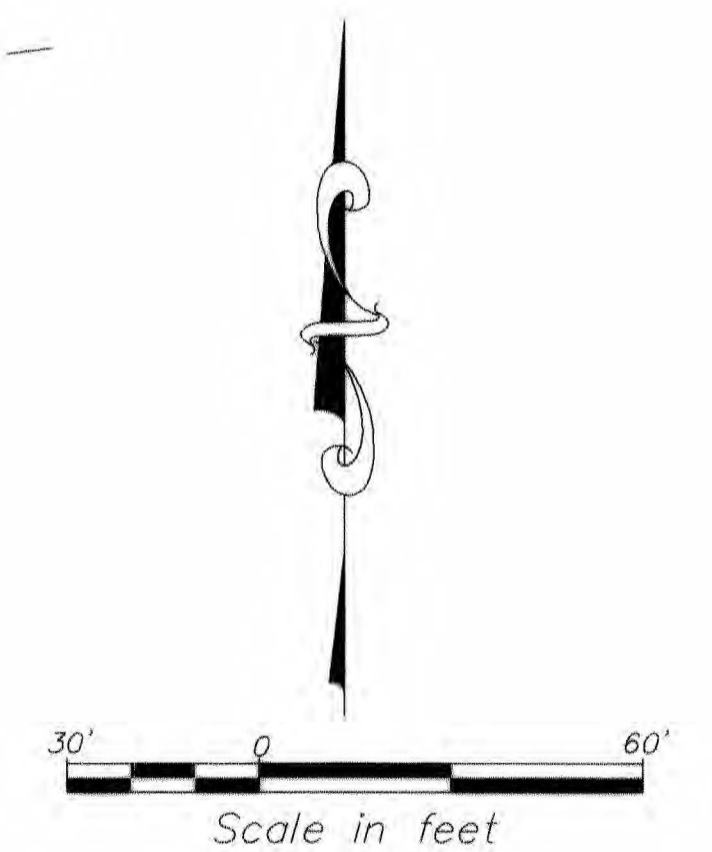
U.S.S. 2903
LOT 27

NOTES:

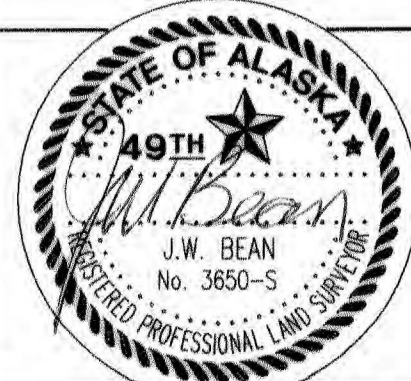
- ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS.
- ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL.
- RECORDED BEARINGS AND DISTANCES ARE SHOWN ENCLOSED IN PARENTHESIS. MEASURED OR CALCULATED BEARINGS AND/OR DISTANCES ARE SHOWN WITHOUT PARENTHESIS.

2005-55
JUNEAU REC DIST
DATE: 2:00 PM 2005
TIME: 12-15-05 M
Requested By: CBT
Address: _____

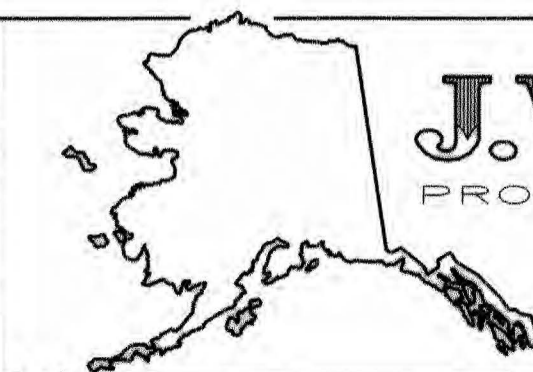
Parcel Viewer



A PLAT OF
LOTS 25A & 25B, WITHIN U.S. SURVEY NO. 2902
INTO
LOTS 25C, 25D & 25E
WITHIN U.S. SURVEY NO. 2902
JUNEAU RECORDING DISTRICT - JUNEAU, ALASKA

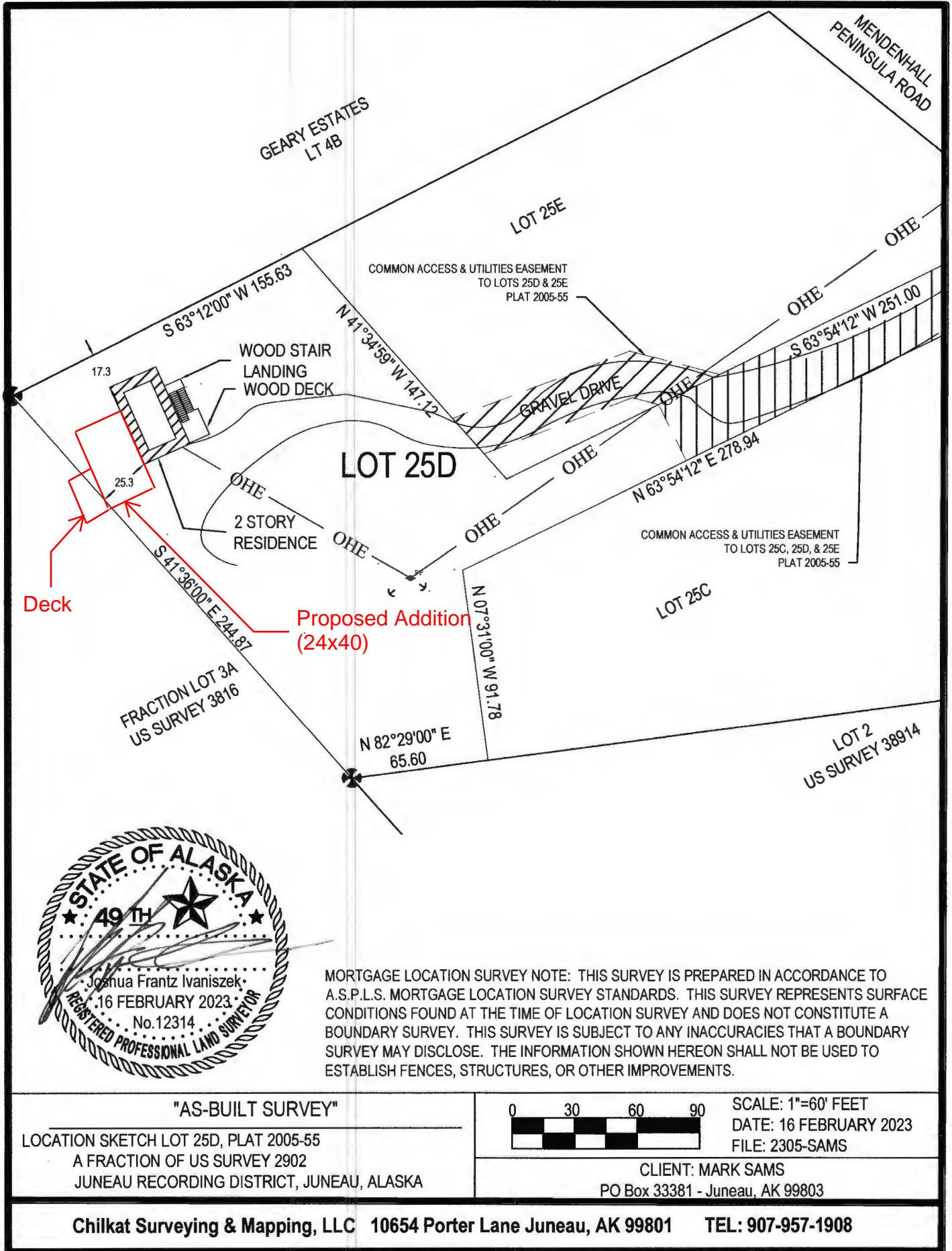


DRAWN BY: GDM Graphics
CHECKED BY: J.W.B.
DRAWING DATE: 12-02-2005
FIELD BOOK:
SCALE: 1"=30'
JOB No.: 12152-S2902
GRID:
REVISED:



J.W. BEAN INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU - ALASKA
(907) 789-0590
SURVEYOR - PLANNER

Figure 3



Chilkat Surveying & Mapping, LLC 10654 Porter Lane Juneau, AK 99801 TEL: 907-957-1908

