

**ASSEMBLY TASK FORCE ON HOMELESSNESS
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

August 8, 2017 5:00 PM

RM #237

I. Call to Order

II. Approval of Agenda

III. Approval of Minutes

A. July 24, 2017 Task Force

IV. Agenda Topics

A. Information Updates Requested

B. Mental Health Trust Update

C. Permitting / Planning

D. Data Update - Vulnerability Index Survey

V. Public Participation on Non-Agenda Items

VI. Adjournment

ADA accommodations available upon request: Please contact the Clerk's office 72 hours prior to any meeting so arrangements can be made to have a sign language interpreter present or an audiotape containing the Assembly's agenda made available. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

THE CITY AND BOROUGH OF JUNEAU, ALASKA

Meeting Minutes - July 24, 2017

I. Call to Order

Chair called the meeting to order at 5:02PM.

Members Present: Chair Debbie White, Norton Gregory, Maria Gladziszewski, Ed Mercer, Bruce Van Dusen.

Other Assembly Members: Mayor Ken Koelsch, Loren Jones

Staff Present: Scott Ciambor, Bryce Johnson

Members of Public: Patty Ware

II. Approval of Agenda

Agenda Approved, no objections.

III. Approval of Minutes

A. Approval of Minutes

The July 11, 2017 minutes were approved, no objection.

IV. Agenda Topics

A. Mission & Organization of Task Force

Mayor Koelsch presented a couple of ideas for the Task Force to consider: 1) winter campground and 2) warming center in addition to items that the task force may come up with.

Maria Gladziszewski asked for definition of warming center. Mayor Koelsch said that a warming center would be open for people to sleep when temperatures were below a certain level. Also, discussion on Salvation Army efforts in the past.

Debbie White discussed Task Force mission and goal. The Task Force agreed on focusing on the next 2 or 3 items to help unsheltered homeless and present to the Assembly. Goal to complete work by the end of September.

V. Public Participation on Non-Agenda Items

Patty Ware noted that she was in attendance to listen and had been thinking about when it would be appropriate to bring homeless folks into the conversation, considering that is conversation taking place without people here.

VI. Staff Reports

A. Basic Sanitation

Scott Ciambor reviewed the information provided in the Task Force binders.

Scott Ciambor discussed the status of the Alaska Mental Health Trust Authority subport property. There was no indication of any change in status although the property has been in the midst of a sales process with no details known.

Discussion on bathrooms and dumpster options to handle increase in needs especially in subport area across from KTOO.

Maria Gladziszewski moved for staff to look into pricing for additional bathrooms and dumpster. Also, contact Alaska Mental Health Trust Authority about putting this items on their property to handle demand.

B. Alaska Mental Health Trust Authority Request

Scott discussed the grant application to the Alaska Mental Health Trust Authority for a Housing and Homeless Services Coordinator position. He state that this position is similar to those funded in Fairbanks and Anchorage. The position would work extensively with the local Continuum of Care (Juneau Coalition on Housing and Homelessness) as it makes changes to become a Coordinated Entry system and to identify and fill gaps that would assist more homeless. Also, person would serve as a liaison for the Task Force and Assembly.

Debbie White asked if this would be an additional position to the Chief Housing Officer. Scott answered yes.

Maria Gladziszewski asked if this grant request of \$100,000 was sufficient. Scott noted that he'd run the initial numbers past Mila Cosgrove and that it seemed to be the appropriate range for Juneau - in the middle of Anchorage and Fairbanks requests.

Bruce Van Dusen asked about success of other coordinators. Scott mentioned that Anchorage is please as the staff in the Mayor's office who was chosen was a long-time AMHTA employee and in Fairbanks the coordinator has been in place in the fall but already the local agencies have made good progress.

Ed Mercer asked about the effectiveness of these positions. Scott noted from experience on the state level that knowledge and use of best practices to address homelessness is

something that has been missing at the local level. These positions are really helpful in that regard -- but really hard to say in Fairbanks since they really just started.

C. Emergency Shelter Operator Meeting

Emergency Shelter Operation Meeting July 25, 2017

Scott discussed the scheduled staff meeting on July 25 with all local emergency shelter operators. He noted a survey was provided to operators asking about their capacity, impacts of SB 91, and for suggestions for the CBJ to better address unsheltered homeless persons.

Debbie White brought up items from the previous meetings and asked about locker storage update. Scott updated the storage lockers; calls in with Juneau School District and will pass along information. Mariya Lovishchuk discussed experience with lockers and that the Glory Hole would not be interested in pursuing lockers. Staff time, rodents, and other sanitation concerns.

Scott updated previous research on other municipalities and storage. One example, Berkeley, California has about 120 tubs outdoors, with 2 full-time staff monitoring that cost about \$400,000/year. To be effective the hours have to be long 6am-11PM.

Norton asked about security at the Glory Hole. Mariya reviewed policies and that for patrons that stay they can put items on the bed upstairs that is locked.

Discussion on outreach, who is out on the streets. Scott discussed the May 2017 Housing First survey and the results of outreach and assessment for the 32 residents. Maria asked to see additional data on those not housed by Housing First(#s 33-97) to see what their needs might be.

Discussion on Rainforest Recovery. Norton Gregory noted feeling somewhat misled about Rainforest Recovery Center. People who are homeless, hard drug users are not being helped. After talking with staff, staff noted being able to handle 250 patients by herself for treatment. Mariya said that might work for people that are stabilized, but difficult if using on the street. Bruce Van Dusen said that she may be licensed to do so but not necessarily the resources to treat.

Maria asked about status of Downtown Business Association member for the Task Force.

Scott to ask DBA for a representative for the Task Force

Ed asked for clarification on Task Force goal; winter campground and warming center. Affirmed. Discussion on winter campground. Bryce mentioned that working with current

shelter operators about warming center might be the better immediate option.

Motion to task staff with finding a location, land, parameters for a winter campground, including outside of downtown.

VII. Adjournment

Meeting was adjourned at 6:48pm.



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 155 S. Seward Street • Juneau, AK 99801

DATE: August 1, 2017

TO: Planning Commission Committee of the Whole

FROM: Rob Steedle, Director
 Community Development Department 

CASE NO.: AME2017 0006

SUBJECT: Ordinance 2017-23, Essential Public Facilities

Essential Public Facilities is a concept not previously considered for inclusion in CBJ's land use code. Its purpose is to provide a process for permitting public facilities that typically are difficult to site. Siting an urban campground for transients, a warming shelter, or a sobering center are representative challenges, because they are usually unwanted by nearby property owners and residents. Siting such facilities can be accomplished through the conditional use process, and by amending the Table of Permissible Uses. However, that may be too coarse an approach for a unique facility such as an urban campground to serve the homeless population. It is challenging to foresee the appropriate local governmental response to meet emerging social needs such as increasing addiction and homelessness.

Background

The concept is borrowed from the State of Washington. The Washington State Growth Management Act requires that local comprehensive plans include a process for identifying and siting essential public facilities, as defined in RCW 36.70A.200. Essential public facilities include such facilities and uses which are typically difficult to site, such as correctional facilities, solid waste handling facilities, mental health facilities, and group homes. The Growth Management Act also states that the siting of such essential facilities may not be precluded from a comprehensive plan or development regulations. The State Office of Financial Management is required to maintain a list of essential state public facilities that are required or likely to be built within the next six years. Washington requires local communities to develop a structured process, including public involvement at an early stage, to consider the siting of essential public facilities.

In contrast to Washington, Alaska does not mandate that local communities provide for Essential Public Facilities. The City and Borough's Charter likewise does not contemplate these facilities. While chapter 13 of the 2013 Comprehensive Plan addresses the provision of police, fire, emergency medical, medical, and social services, it does not contain the concept of essential public facilities, as such.

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Ordinance 2017-23

The purpose of the ordinance is to “...provide a process to site essential public facilities that are typically difficult to site or where the provision of the service is substantially connected and dependent upon its location.” This permitting process closely follows that of a conditional use permit. The key distinguishing differences are:

1. The proposed facility does not have to be a permissible use as specified in the Table of Permissible Uses, and
2. The applicability of the process is confined to developments that “...will be used to provide a service to benefit the health, safety, and welfare of the public and will be delivered by a government agency or private or nonprofit organization under contract to or with substantial funding from a government agency.”

A proposed development would qualify as an essential public facility on a very case-specific basis. For this reason, certain types of facilities that are present in the Table of Permissible Uses might be permitted using this new process. For example, National Guard centers are excluded from the MU and MU2 zoning districts. It may be that there is a compelling reason, perhaps based on proximity to another governmental facility, to permit a particular type of National Guard center in a mixed use district. In that specific case, the Planning Commission could make the finding that the proposed development qualified as an essential public facility.

Because a nongovernmental entity may be developing the facility, the types of conditions available for a conditional use permit such as performance bonds are also potential conditions for permitting an essential public facility.

The ordinance requires a public meeting at least 30 days before the Planning Commission’s public hearing. The purpose of the meeting is to inform the public about the proposed development and hear concerns in advance of the Planning Commission hearing.

Summary

While the essential public facility permitting process will likely be rarely used, it may prove to be an appropriate avenue for government to more nimbly deploy facilities to mitigate unanticipated societal needs. We will be bringing the draft ordinance back to the commission for a public hearing in the very near future.

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-23

An Ordinance Amending the Land Use Code Relating to Essential Public Facilities

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 Chapter. Chapter 49.15 Permits, is amended by adding a new Article to read:

Article IX. Essential Public Facilities

49.15.900 Purpose.

The purpose of this article is to provide a process to site essential public facilities that are typically difficult to site or where the provision of the service is substantially connected and dependent upon its location. This chapter establishes the process and criteria the department and the planning commission will use in making a decision on an application for an essential public facility.

49.15.910 Determination of applicability.

(a) The manager may request in writing that a proposed facility be reviewed through the essential public facilities siting process. The manager's request shall address the criteria in subsection (b) of this section.

(b) The director shall review the request and approve it if the criteria in subsections (b)(1) and (2) of this section are met. If approved, the application shall be submitted to the commission for its consideration.

(1) The facility or site will be used to provide a service to benefit the health, safety, and welfare of the public and will be delivered by a government agency or private or nonprofit organization under contract to or with substantial funding from a government agency.

(2) The facility is a type difficult to site because of one or more of the following:

(a) The facility needs a type of site of which there are few sites;

(b) The facility can locate only near another public facility;

(c) The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site; or

(d) There is need for the facility in a particular location.

49.15.920 Application Process.

(a) An application, on a form specified by the director, and a site plan for the proposed essential public facility shall be submitted to the director for consideration.

(b) After accepting the application and determining it is complete, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.

(c) The department shall hold a neighborhood meeting at least 30 days prior to the public hearing before the planning commission. The purpose of the neighborhood meeting is to provide the public with a means of obtaining information about the application and an opportunity to comment on it in advance of the public hearing. Public notice of the meeting shall be published in a newspaper of general circulation a minimum of ten days prior to the date of the meeting.

(d) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor.

(e) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.

49.15.930 Decision criteria.

(a) At the hearing on the essential public facility, the planning commission shall review the proposal to consider:

- (1) Whether the development as proposed is consistent with the goals and policies of the City and Borough's Comprehensive Plan; and
- (2) Whether the application is complete.

(b) The commission may approve an application for a proposed essential public facility, with or without conditions. Conditions may include one or more of the following:

(1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.

(2) *Use.* Use of the development may be restricted to that indicated in the application.

(3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.

(4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.

(5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.

(6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.

(7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.

(8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.

(9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.

(10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

- (A) Developments within 330 feet of an eagle's nest located on private land; and
- (B) Developments in wetlands and intertidal areas.

(11) *Sound.* Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.

(12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.

(13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.

(14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.

(15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.

(16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.

(17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.

(18) *Other conditions.* Such other conditions as may be reasonably necessary to enhance public health and safety.

(c) A development permit issued under this section shall be subject to the provisions of CBJ 49.15.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2017.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk