

**THE CITY AND BOROUGH OF JUNEAU, ALASKA  
HOUSING AND DEVELOPMENT TASK FORCE**

February 11, 2022 – *DRAFT* Meeting Minutes

**A. CALL TO ORDER**

The meeting of the Housing and Development Task Force (HDTF) was held at the Marine View Building Conference Room and via Zoom Webinar, and was called to order by Ex-Officio Chair Loren Jones at 12:01p.m.

**Members Present:** Ex-Officio Chair Loren Jones, Assemblymember Maria Gladziszewski, Assemblymember Michelle Hale, Planning Commissioner Nathaniel Dye, Planning Commissioner Paul Voelkers, Architect Wayne Jensen, Developer William (Bill) Heumann, and Developer Dave Hanna.

**Members Absent:** None.

**Staff Present:** Mayor Beth Weldon, City Manager Rorie Watt, Community Development Director Jill Maclean.

**B. Approval of Agenda**

Mr. Hanna noted that the committee had received the agenda packet shortly before today's meeting, and said they did not have enough time to read through the CDD Informational Memo.

He asked to table Item E - CDD's Informational Memo and move it to the next meeting, while moving Item G - Pre-Application Ordinance Status Update in its place.

*Hearing no objections, the agenda changes were approved.*

*Hearing no objections, the agenda was approved as amended.*

**C. Approval of Minutes**

**a. January 7, 2022 Draft Minutes**

Mr. Hanna said that he did not have a chance to read over the January 7, 2022 meeting minutes as they were submitted shortly before today's meeting. He moved to approve the draft minutes at the next meeting.

*Approval of the January 7, 2022 minutes were postponed to the next HDTF meeting.*

**D. Comments About Last Meeting**

None.

**E. Community Development Department Informational Memo**

*This agenda item was postponed for discussion at the next HDTF meeting.*

### **G. Pre-Application Ordinance Status Update**

*This item was moved to be discussed prior to Item F.*

CDD Director Jill Maclean explained that the pre-application ordinance was introduced at the January 25 Planning Commission meeting after being discussed at a Title 49 Committee meeting. Ms. Maclean recommended the Planning Commission approve the ordinance, but ultimately the Commission referred the ordinance back to the Title 49 Committee for further discussion. She added that there were no members of the public were present to testify.

Mr. Voelckers shared that there had been rigorous debate at the Planning Commission meeting regarding the pre-application ordinance. He said the PC came within one vote of passing it as submitted and written. He said that there was some collective apprehension, that there may have been some aspects of the ordinance that needed of further consideration and potential unintended consequences or the possible negative outcomes for applicants who opted out of the pre-application process. He said that it was a close vote and PC members weren't trying to be obstructionist but it seemed important enough to get more conversation at a committee level to figure out how to get the wording just right.

Ms. Hale asked for clarification on when the pre-application conference requirement began. Ms. Maclean said that she believed that the pre-application requirement came into being about a decade ago, shortly after the Assembly's creation of the Randy Wanamaker Committee. She added that the intent, at the time of that committee, was to help streamline the application process, while also providing more information to applicants.

Mr. Hanna said that he wanted to provide a recap of what has happened to date. He noted that he watched the Planning Commission meeting recording. He reminded members that there was a lot of discussion at the task force meeting about this and at one of those meetings, Ms. Maclean acknowledged that not all applications are in need of a pre-application hearing. At previous HDTF meetings, Mr. Hanna said that the committee unanimously agreed by the HDTF that it would be simplest and best to make the pre-application conference optional. He did not think that the Planning Commission would have an issue with approving their recommendation. He said that he didn't think anyone on the HDTF thought there would be any problem in this ordinance passing. He then went onto state that while Ms. Maclean conveyed to the Planning Commission that the HDTF was in favor of this, at that meeting, the planner who introduced the ordinance did not present it in a favorable light. He recalled this planner giving an example of an applicant wanting to split a lot, but did not realize that the lot was too small until the pre-application conference. He felt that this issue could have been resolved via phone call.

Mr. Hanna said that when the discussion at the PC got going, the director lobbied strongly against this ordinance, which he found to be very disingenuous. He said that one of the commissioners asked the director if her recommendation should be taken with a grain of salt, as she seemed not to be in favor of this ordinance, to which the director replied in the affirmative. Mr. Hanna expressed frustration about this, and felt that this was an end run around the task force and that Ms. Maclean's issues with this ordinance should have been voiced at an HDTF

meeting. Mr. Hanna commended Mr. Voelckers in his support of this ordinance, but said that it wasn't enough.

Ms. Maclean did not believe that she had spoken any differently from the outset about her stance on pre-application ordinance. She said that she strongly felt that the pre-application conference is an incredible tool for both the CBJ and the private sector, be it either a developer or a private homeowner. Ms. Maclean said that she firmly stated her concerns in the HDTF meetings as well as with the PC, as she believed that this ordinance could potentially come back to bite the CDD if it were to be adopted. She felt that this ordinance could extend the permitting timeline, as they will not be able to have all of the information upfront on a project. She expressed her concerns that CDD and other department staff have to run around and track down additional information that will cause a number of delays to project timelines. She said that those have been her concerns from the beginning of these discussions and she has shared them throughout the HDTF discussions on this issue.

Ms. Maclean stated that they never assume that whatever comes out of a particular committee should be rubber stamped by the Planning Commission just because it may come to them as a unanimous recommendation. The job of the PC is to take those recommendations and to make their own informed decisions. She added that it was a public meeting, and no members of the public, or representatives from the development community, came forward to testify in favor of this ordinance.

Ms. Maclean noted that CDD Planner Beth McKibben had stepped up to assist Ms. Maclean in preparing the staff report for this ordinance due to Ms. Maclean being out of town and the timeframe which Ms. McKibben had to work on this was extremely shortened for this type of legislation. Ms. Maclean also clarified that the example provided by the planner at the meeting was approved by her, as it was a good example demonstrating how the little guy who doesn't always know what they are doing might miss some important details that can be addressed during the pre-application conference.

Mr. Hanna explained that he does not expect the Planning Commission to be a rubber stamp for HDTF recommendations, but he had believed that the ordinance was supported unanimously by this committee. Mr. Hanna said that he did not expect Maclean to lobby against this ordinance, and said that the task force should have been informed of her stance. He suggested that someone from the HDTF, such as the committee chair, should have attended to relay the position of the HDTF to the Planning Commission.

Ms. Hale commented that this was the second instance that she had heard the phrase, "the meeting was public notice, so you should have known". The first example of this was the SRRC meeting that Mr. Arndt did not attend because he did not know about the N. Douglas rezone. She said that CBJ staff should be careful about relying on that notion, and was frustrated that the chair of HDTF was not asked to attend the Planning Commission meeting. Ms. Hale felt that Ms.

Maclean should have informed the HDTF that she would be arguing against the recommendation of this task force, which were forwarded to the Planning Commission by the Assembly.

Mr. Watt explained that it is commonplace for the Planning Commission to deliberate on the details of an ordinance. He recalled that he also expressed concerns about this ordinance at earlier HDTF meetings. Mr. Watt believed that that CBJ staff and the Planning Commission are doing what they normally do, going into the details and referring it to committee for further discussion.

Mr. Hanna said that the Planning Commission is right to debate the ordinance, his concern was rooted in the task force not being made aware that the ordinance would be lobbied against. He said that he concerns were that things have not been open or transparent, and felt blindsided.

Mr. Heumann said that this experience had taught him that they must learn how to advocate for the decisions they make as a committee at meetings such as this one. He said that they need to represent themselves at these meetings. He said that he felt it would be a courtesy for staff to inform HDTF members that meetings are happening on topics they have forwarded.

Ms. Gladziszewski, commenting on the process, noted that another member of this task force chose to vote against the pre-application ordinance at the Planning Commission meeting.

Mr. Dye shared that he was the member that did not support the ordinance at the time of the Planning Commission meeting. He said that process wise, he did not consider this as a rubber stamp and he often doesn't know how he will be voting on something at the Planning Commission meeting until that moment comes. He said that as part of that process, he feels staff did support it but with some level of concern, and that is why he asked what he did and voted the way he did. He believed those concerns were justified. He spoke to the public process and said he has struggled with CBJ's public process for some time and is glad they are discussing it. He checks the CBJ agenda/meetings page every week to see what is coming up. In regards to public meetings, Mr. Dye stated that one of the concerns raised by the HDTF was the amount of staff time that is spent not working on moving projects forward and he said that if staff was required to be sending personal notices to individuals and groups on every particular meeting, that would delay things rather than make them more streamline and efficient.

Mr. Heumann said that they try to keep on top of things and they keep the communication channels open. He said that he did not feel that it would be particularly time consuming to communicate with involved parties about upcoming meetings.

Mr. Voelckers agreed with Mr. Heumann, saying it is fair to expect to be notified when a meeting regarding a particular issue is about to occur.

Ms. Maclean said that she can appreciate this to a certain extent, but added that there are many sectors and developers that are not represented here. She said that her concern is with providing

special treatment to some over others. She said that the pre-application conference affects everyone, and to expect CDD to be responsible for contacting certain developers at any given time is not realistic. Who are they notifying, do they send it out as a list, what determines who gets to be notified? She spoke to the standard public notice protocols followed by the Clerk's office for meetings, and mentioned the notification to the Neighborhood Association distribution list as an example.

Ms. Hale said that she does not want the committee to get bogged down by this discussion about notification, and this discussion can occur outside of this task force.

Mr. Jones asked Mr. Dye to clarify when the next Title 49 meeting is set to be held. Mr. Dye said that the next Title 49 Committee is set to be held on Thursday, March 3 at 12:00pm. Mr. Jones noted that is held at the same time as the Juneau Chamber of Commerce meeting. Ms. Maclean clarified that the March 3 Title 49 meeting will be split between discussing the pre-application ordinance and coastal zone management.

#### **F. Chamber's Housing & Development Committee Recommendations Memo**

Mr. Jones noted that they included in the packet the memo from Juneau Chamber of Commerce (JCC) CEO Craig Dahl about the Housing Development Committee.

Mr. Hanna suggested the Chamber create a discussion seat to forward suggestions through a formal process, and said it would be invaluable to the development community and CDD.

Mr. Jensen mentioned that they are considering ways to potentially accelerate CDD's permitting process. He said they were trying to stay focused on the big picture process issues rather than getting down into the weeds on particular issues. He said that from the JCC group's viewpoint, permitting is the most important thing that the CDD department does and they are looking for ways to help make that be more efficient.

Ms. Gladziszewski asked where CDD was in addressing the requests made in regards to tracking and expediting the permit process.

Ms. Maclean explained that CDD staff is currently reviewing the available permitting software other communities are utilizing. She mentioned that the timing is good, because CDD has some building inspectors and permit technicians attending a national conference where they will be tasked with speaking to their cohorts about what systems they have in place. Ms. Maclean also spoke to the staff turnaround at CDD, and said that there are only two permit specialists and they were both hired within this past year.

Ms. Maclean said that CDD intends to figure out a way to show the volume and types of permits, which is what the LHEDC and Assembly have asked for. She is aware that developers are wanting to know where their individual applications are at in the permitting process; but that information is difficult to provide on a daily basis without adequate software. She said that

CDD is trying to come up with inexpensive ways to track what they are doing, but without the software there is not an easy way to go about it.

Mr. Voelckers asked if any other community development departments in the country have a time tracking aspect that implement hard deadlines.

Ms. Maclean explained that the last city she worked for had a population of 100,000, and they had just received a grant to purchase permitting software shortly before she left. Regarding deadlines, Ms. Maclean said she had never worked anywhere that had a timeline for review except for Massachusetts, due to the state's law which automatically approves variances if they are not acted upon within a certain timeframe.

Mr. Jones and Ms. Hale had a brief discussion about the possible implementation of permitting software. Ms. Hale said the HDTF needs to be focused on identifying solutions and that the Assembly would be supportive of trying to provide those solutions.

Mr. Heumann spoke to the level of frustration in the development community regarding the timing of the permitting process. He mentioned that the recommendations of the HDTF have addressed this issue from various angles: the pre-application ordinance, scheduling, and communication – he said that these all help expedite the permitting process.

Ms. Maclean said that CDD is doing their best to make the permitting process go as fast as they can. She spoke to how quickly Juneau is able to permit buildings such as accessory apartments. She said that there does not seem to be an appreciation for the workload that the department is currently managing.

Ms. Hale said that it is not productive of this task force to be talking about CDD and have Maclean defend her own department. She said that the HDTF needs to be focused on finding solutions and she spoke to her frustration of the task force's tendency to go off target. Mr. Hanna agreed with Ms. Hale's comments. Ms. Gladziszewski noted that many of these concerns were operational issues that the Manager and Director need to work out. She asked what they are trying to accomplish with this task force, are all the requirements as they should be, the number and type of permits that are needed, etc...? She said she thought the HDTF was trying to find solutions within the code and those types of things that could be addressed with legislation but that operational issues need to be addressed by the Manager and staff.

Mr. Watt encouraged the HDTF to read the memo provided by CDD in the packet, which had been forwarded to the next agenda. He spoke to the solid recommendations in the memo Maclean provided. He mentioned that CBJ is a complicated system that requires a lot of information, and the Planning Commission is rather rigorous. Mr. Watt hoped that the next meeting could focus on the CDD memo and prioritization.

*Mr. Watt and Mayor Weldon left the meeting at 1:01p.m to attend another meeting.*

Ms. Gladyszewski asked if there is anything in the Code that the development community believes to be unnecessary, and to specifically identify them.

Mr. Hanna reminded the committee of the extensive list of suggestions and changes to the Table of Dimensional Standards that was submitted by him, Mr. Heumann, and Mr. Voelckers; which was referred to the Title 49 Committee.

Mr. Heumann suggested they should take another section of code to review prior to the next meeting, and asked Ms. Maclean if she had any recommendations.

Ms. Maclean said that the memo provided a list of nine recommendations of what could be looked at next. The first recommendation is related to the Comprehensive Plan, and the rest are related to Title 49. She said it would be great if the task force could go through the memo at the next meeting. She asked them to be mindful that the Title 49 Committee will be working on the pre-application ordinance and coastal zone management at their next meeting.

#### **H. Public Comment**

Wayne Coogan mentioned that the Engineering Department regularly holds a pre-bid conference, which allows for bidders to become familiar with the issues of the bid for each project. Mr. Coogan also said that he did not think it was fair to expect the public to find the time to attend public meetings as CBJ staff do, while staff is being paid overtime to attend. He felt that the city should spend time reaching out and getting opinions from the public. He also questioned the necessity of multiple committees weighing in on a single ordinance.

Ms. Hale clarified that most CBJ staff who attend public meetings in the evenings are not paid overtime, as they are salaried employees.

#### **I. Suggestions for Next Agenda**

Mr. Jones said that he will include the CDD informational memo and Mr. Heumann's emails to the next meeting's agenda.

Mr. Heumann volunteered to redline the Table of Permissible Uses and bring that to the committee for the next meeting.

Mr. Hanna suggested attaching Mr. Voelckers memo to the agenda, as it had good suggestions and changes to the TDS as well. He was also interested in Mr. Dye's memo on streamlined setbacks.

Mr. Jones clarified that Mr. Dye and Mr. Voelckers respective memos have already been forwarded to the Title 49 Committee, but he will still include them in the agenda.

#### **J. Next Meeting Date**

The next scheduled Housing & Development Task Force meeting was scheduled to be held on March 4, 2022 at 12:00pm.

**K. ADJOURNMENT**

*There being no further business to come before the committee, the Housing and Development Task Force meeting was adjourned at 1:22p.m.*