

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

January 7, 2022 – *DRAFT* Meeting Minutes

A. CALL TO ORDER

The meeting of the Housing and Development Task Force (HDTF) was held via Zoom Webinar, and was called to order by Ex-Officio Chair Loren Jones at 12:05p.m.

Members Present: Ex-Officio Chair Loren Jones, Assemblymember Maria Gladziszewski, Assemblymember Michelle Hale, Planning Commissioner Nathaniel Dye, Planning Commissioner Paul Voelckers, 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, City Attorney Robert Palmer, Assistant City Attorney Sherri Layne.

B. Approval of Agenda

Mr. Hanna said that Mr. Heumann had a list of suggestions for the January 21 HDTF Meeting Agenda, and also had feedback from last week’s developer meeting that he would like to discuss.

Mr. Jones said that they could address that under the “Suggestions for the next meeting” agenda topic.

C. Approval of Minutes

a. November 12, 2021 DRAFT Meeting Minutes

b. December 10, 2021 DRAFT Meeting Minutes

Ms. Hale shared that she reviewed both sets of meeting minutes, and recommended approval of both sets of minutes.

Mr. Voelckers provided an edit to the December 10, 2021 Meeting Minutes; under “Recommendations for Changes to Title 49”, Mr. Heumann’s explanation of the pre-application process was incorrectly attributed to Mr. Jensen.

The November 12, 2021 HDTF Meeting Minutes were approved as presented.

D. Comments About Last Meeting

Ms. Maclean reported that the Title 49 Committee met on January 6 to discuss establishing a 50 foot setback to streams. She added that the committee is aware of how critical this is in regards to the construction season, and they will try bring it forward to the Assembly prior to the start of the season. She explained that the stream ordinance must be fully reviewed by the Law Department, and later must be set for public hearing by Planning Commission in February.

E. Title 49 Update – Specific Revisions to Title 49 by Developers

Ms. Maclean addressed the HDTF's concerns regarding the pre-application process at the Title 49 Committee meeting. She referenced Mr. Dye's comment from that meeting, which mentioned that developers who are unfamiliar with the process may miss out on opportunities that potentially could be discovered during a pre-application hearing.

Mr. Voelckers also advised the task force to be careful of unintended consequences when dealing with the pre-application process. He also mentioned the Downtown Parking Ordinance set to be introduced at the January 25 Planning Commission meeting. Ms. Maclean provided further explanation for the Downtown Parking Ordinance.

Mr. Hanna said that one of his thoughts with this task force was that it may eventually become a permanent type of group that would work with Title 49 and as an example have members of their builder's group could be apprised of what the Title 49 is doing next. He said that he would like to see their paths merge in the future. Ms. Gladyszewski asked Mr. Hanna for clarification as to what he meant by merging paths. Mr. Hanna said that he would like to see the next phase of this task force or the development community have an active role with the Title 49 Committee as it is making changes. He said that right now, they are somewhat out of the loop and don't know what is going on until it has already happened and it puts them behind the curve.

Ms. Maclean asked Mr. Hanna for clarification. She noted that the Title 49 Committee works on assignments/priorities as handed down to them through the Assembly. She asked him to clarify if what he is suggesting has to do with "what the Title 49 Committee is working on" or is it the ordinances themselves that come about as a result of that work? She said that one of those is at Title 49 Committee level and the other is not.

Mr. Hanna said that they would likely be bringing recommendations to the Assembly with what they may want to see the Title 49 Committee working on but it would be nice to see that the Juneau Chamber of Commerce Builders Committee could have a seat at the Title 49 Committee or be an active participant so that when the Title 49 Committee is working on these things, they are doing so with direct involvement from the development community.

Mr. Heumann said they feel that there are two parallel things going on. He said this group was working on this topic and the Title 49 Committee was also working on this topic. He said that he didn't think there was a lot of opportunity for public comment within the Title 49 Committee structure and until now, he didn't realize that the agenda for the Title 49 Committee was coming from the Assembly. He said that they think the industry needs a seat at the table and that the issues brought to the Title 49 needs to be widened beyond the Assembly and that community members should be able to bring up items that could be considered and not directed through the Assembly. He said they feel that they do not have a seat at the table a lot of decisions are being made without their input and the system would be better if there was more input from the developers in the community.

Ms. Maclean said that there are few topics, such as the recent marijuana discussion that comes up through staff to the Title 49 Committee but most of the direction to the committee comes from

the Assembly priorities. She said that the Assembly strives to balance the various sectors of the community when making appointments to the Planning Commission such that there is a wide variety of community interests represented by the members of the Planning Commission. She said that historically, there has been at least one or more developers appointed to the Planning Commission and they have historically also been on the Title 49 Committee. She said that generally, those individuals have been communicating with the developer community in an informal liaison role as well. She asked if that line of communication was working or not.

Mr. Heumann said that he did not feel it was working. He said that he has never been approached by anyone on the Planning Commission for any input on how Title 49 might be changed. He said that he has a somewhat narrow interest in Title 49 as it relates to his business and it is quite different than others. He said that everyone works within their own niches that they operate in. He said, if he were on the Planning Commission, he wouldn't feel like he would have the expertise to try to manage these issues that he is intimately familiar with and that is why they have a group that tries to bring in everyone's expertise and various concerns. He said they feel like they need to have a lot more input as a group rather than just having one member sitting on the Planning Commission.

Ms. Gladziszewski said that she appreciates that they want to be part of the solutions. She noted that there are processes set up with the Assembly and Planning Commission liaisons but she was struggling on how to add a subcommittee to a subcommittee of the Planning Commission. She said that was why this task force was created to be able to try to determine the best ways to foster those conduits of communication within the systems currently in place.

Ms. Hale agreed with Ms. Gladziszewski and said to Ms. Maclean's comments, one of the things the Assembly often struggles with is they have to appoint people to a lot of boards and commissions and they have to make appointments from the slate of candidates who apply. If there are no developers who apply to serve on the Planning Commission, it is difficult to appoint one to the PC. She said that in terms of Title 49 priorities, the Assembly touches a huge number of issues, when they do set priorities, they are working with a wide swath of topics, with limited information and that might be an area that is ripe for improvement.

Mr. Voelckers said the current process is somewhat fuzzy about how the Assembly, Planning Commission, and Title 49 Committee interacts. Generally there is a joint meeting of the bodies and they discuss a number of topics of focus and priority and it is imprecise at best and room for conversation and improvement. He then explained the roles of the PC liaisons to the Assembly Standing Committees. He said that they may look at potentially having a PC liaison to the Juneau Chamber of Commerce if that is warranted and something this task force may want to discuss. Mr. Hanna suggested one way to improve the process would be if public input was allowed during the Title 49 Committee meetings so that if/when members of the developer group or the public wished to provide input on a specific topic, they would be allowed to do so during the committee meetings.

Mr. Watt spoke to the value of liaisons, particularly informal liaisons, similar to how the Juneau Chamber of Commerce sends one member to all the Assembly Finance Committee meetings to

track what is going on during the budget discussions, they could do something similar with a member of their developer's group attending Title 49 Committee meetings and reporting back to their group. He added that a formalized liaison role could get somewhat complicated in the event of a committee with both voting and non-voting members, and the time constraints that could interfere with the formal liaison process.

Additional discussion took place about the Title 49 Committee membership and the evolution of public testimony during committee meetings. Within the past 3 years they initially stopped taking public testimony at the subcommittee level but that public testimony is allowed at the discretion of the chair. Mr. Jensen said that the model that Mr. Watt suggested of having one or more individuals from the Juneau Chamber of Commerce builders group monitoring the Title 49 Committee and the Planning Commission report back to the Chamber could work well.

Mr. Jones explained that the Title 49 Committee is a standing committee of the Planning Commission, and is a working group made up of members of the Planning Commission and is created in a structure similar to all the standing committees of the Assembly and empowered boards. Ms. Gladyszewski said that the membership structure could be explored but ultimately, it is the Planning Commission's standing committee.

Mr. Heumann said fundamentally, the members of the industry are seeking a way to have input on what Title 49 is since they have to live and die with this. He said that they do not feel listened to in a serious manner, they are only given 5 minutes during non-agenda items at a meeting. Unless there are significant changes, things won't improve for housing in Juneau and he thinks they need to have an open mind on how they go about it.

Ms. Maclean reminded the task force that the Title 49 Committee is always open to receiving written recommendations and suggestions on the agenda, and it could be an avenue for developers to provide input on agenda items. She also noted that in the past four months since its inception, this task force has only identified the pre-application ordinance, she has not heard any concrete tasks for the Title 49 Committee that needed to be addressed in order to make development less challenging or more flexible. She said that she thinks they are really looking for the added flexibility. She said that she hears Mr. Heumann's concerns but that is why this task force was created and while she is hearing the complaints, she is not hearing specific suggestions so she doesn't know what they are hoping can be worked on. She said that she has offered a numerous times each year, to go and meet with SEABIA (Southeast Alaska Building Industry Association) for a specific topic or for general topics. She said that while COVID did interfere with that somewhat, she has not been taken up on that offer. She said that it is a mutual issue on all sides and she too would appreciate more open communication channels. She also noted that if/when there were any changes to the Title 49 Committee structure, any additional public process may slow down the work somewhat to allow for that and that should be something to note when suggesting changes to the structure of the committee process.

Mr. Hanna said that the developers had a list of areas of concern and recommended changes for Title 49, as referenced in Mr. Heumann's memo to the task force. Mr. Jones said he just received those at 11:30 this morning and will forward those to the committee. Mr. Heumann stated that

the intent of his recommendations was to provide examples of places in the Code that could benefit from changes. Mr. Jones said that he will send out Mr. Heumann's list of recommendations to the entire task force after today's meeting.

F. Discussion of Table of Dimensional Standards and Related Code Sections

Prior to the holidays, CDD distributed a copy of the section of Code that featured the Table of Dimensional Standards, and asked for comments to be sent ahead of today's meeting.

Mr. Jones said that no comments were sent in.

Mr. Heumann cautioned against getting too involved in the details of the Table of Dimensional Standards. Mr. Hanna questioned the necessity of the TDS, and suggested that the table might not be needed, saying that they might want to take a "less is more" approach towards it.

Mr. Voelckers described the TDS as arbitrary to a degree, but disagreed with the notion that the table might not be needed. He mentioned that the Planning Commission had introduced potential zoning in Auke Bay that featured examples of flexible zoning: such as increases in lot density and height, and amenities such as canopies and parking.

Ms. Maclean further explained the zoning proposals introduced at the Planning Commission meeting, and the potential inequities that may occur as a result of Zoning Code revisions. She gave in depth examples of some of the proposals and discussions that occurred during the Auke Bay area planning process from both the neighborhood and development perspectives. She said that while there is flexibility to be found within the Code, there is also the public input that affects the eventual outcome as well. She spoke against dismissing the TDS as a whole, saying there needs to be a balance to address the issues out there.

Ms. Gladziszewski asked Ms. Maclean to clarify which committee or department is handling this issue. She said that the Lands, Housing, and Economic Development Committee had asked last spring for someone to be looking at the TDS and she was wondering where this was in the in the process. Ms. Maclean said that it is the CDD staff's list of tasks but that they have not been able to get to it yet as they have been working on other items that rank higher on the priority list: such as parking, streams, and the Downtown Juneau Alternative Development Overlay District. She said that due to some staffing turnover, they have not had the capacity recently. She anticipates they will have a public hearing in February before the Planning Commission of the Downtown Juneau Alternative Development Overlay District and it will be a good test case to see what the appetite of the PC and the Assembly is to mix up the TDS and to provide more flexibility. If that comes through favorably, it will be a good sign to have them continue to look at other changes to the remaining standards in the other zoning districts.

Ms. Gladziszewski and Mr. Hanna both provided comments of support that when up zoning is proposed, due to the installation of infrastructure or other reasons, that it is important that the Assembly take that into consideration and actually follow through with the up zoning.

Mr. Hanna clarified that it was not his intent to throw out the entire TDS, but rather was questioning the need for certain elements of the table; he said they got rid of lot depth and

wondered if they needed to keep lot widths the same as it had been. He suggested they look at it with a fresh eye and examine places in the table where flexibility could be made with changes.

There was further discussion about Juneau's development process with examples of changes that could be made including front yards vs. side yard set-backs, subdivisions, uphill lots vs. downhill lots, vs. other homes in proximity to the neighboring lots. Ms. Hale spoke to the importance of having community discussions, including the conversations at the Systemic Racism Review Committee, regarding these changes. They discussed the potential benefit and improvements that local development – some of which can be found in the Comprehensive Plan – can have for the community. Ms. Maclean provided information on how Juneau compares to the permitting and approval process for permits vs. some of the other states in the union and other communities and how much quicker applications generally take in Juneau vs. similar permits in California.

Mr. Voelckers suggested this committee could task themselves with adjusting the TDS, similar to how they addressed Title 49, as he felt there were some areas that could be improved upon. He said that if they do want to take this up, they should take on 2- 3 specific recommendations rather than tearing the whole thing apart. Ms. Gladziszewski thanked Mr. Voelckers for this suggestion and she said she feels like the Planning Commission is the place for those discussions.

MOTION by Ms. Gladziszewski for the Housing & Development Task Force to recommend that the Planning Commission review the Table of Dimensional Standards for whatever amendments are needed to facilitate housing development.

Ms. Gladziszewski stated that the Assembly recently added to the top of the list of 2022 Assembly Goals to “Revise and Improve Title 49 and to Facilitate Housing.”

Ms. Maclean appreciated Ms. Gladziszewski's motion, and mentioned that the Planning Commission will have a joint meeting with the Full Assembly within the next month. She suggested that rather than the usual 1 hour period for that joint meeting, they may want to have a longer overall conversation with everyone at the table and to get more specifics on what they want the focus to be on vs. just “Revise Title 49” with focus on housing.

Ms. Gladziszewski said her motion is to provide another groups recommendation of support to have the PC focus on this topic. Mr. Hanna spoke in support of Ms. Gladziszewski's motion, and added that they could bring in their written suggestions to changes to the TDS to the next HDTF meeting. He said he would be happy to bring in his suggestions to the next meeting.

Mr. Heumann, Ms. Hale, and Mr. Jensen all spoke in favor of Ms. Gladziszewski's motion and shared their comments and concerns regarding the staffing levels at CDD, the historic basis for the TDS, and that the task force members provide their recommended changes.

Hearing no objections, Ms. Gladziszewski's motion passed by unanimous consent.

Mr. Jones asked members to send any recommendations to the CDD staff and they would take those up at a future meeting. He said they will make sure Ms. Gladziszewski's motion is written

out and shared. He said that with respect to the next meeting, Mr. Voelckers had proposed the committee have a broader conversation on ways to address Juneau's housing issue beyond Title 49, including potential economic incentives.

G. Public Comment

None.

H. Suggestions for Next Agenda

The next scheduled meeting of the Housing & Development Task Force will be held on January 21, 2022 at 12:00p.m.

The next meeting agenda will feature discussion on the Table of Dimension Standards, a discussion regarding Mr. Heumann's comments, and a conversation on housing and housing needs.

Mr. Voelckers said that even if they make a lot of changes to Title 49, there is no guarantee that it will cause a lot of new housing to be created but there is substantial economic underlying factors that play into that and they should be taking that into consideration.

Ms. Gladziszewski spoke to the inception of this committee, and her concern that they were supposed to be finished with its work in March/April. She said that speaking to Mr. Voelcker's comments, CBJ has a Housing Action Plan and they aren't going to recreate that in this task force. She said that this task force was specifically created to hold discussions with local developers, about what the needs are to fix the processes or law that should be addressed.

The following meeting of the Housing & Development Task Force will be held on February 11, 2022 at 12:00p.m.

I. ADJOURNMENT

There being no further business to come before the committee, the Housing and Development Task Force meeting was adjourned at 1:40p.m.