



## HOUSING AND DEVELOPMENT TASK FORCE

Appointed by the City & Borough of Juneau's Mayor

### Meeting Agenda

Friday, December 10, 2021

12:00 P.M. – 1:30 P.M.

Marine View Building, 4<sup>th</sup> Floor Conference Room & Zoom Webinar

Members of the public may listen in or watch by following one of these options.

Please click the link to join the meeting:

<https://juneau.zoom.us/j/87850095573>, or call 1-669-900-6833 or 1-253-215-8782 or 1-346-248-7799 or 1-929-436-2866 or 1-301-715-8592 or 1-312-626-6799, and enter Webinar ID: 878 5009 5573.

### Assembly Charge

The purpose of this task force shall be to provide helpful advice to the Assembly regarding housing and development issues.

Specifically, the task force is asked to:

1. Review the path that a project must take to gain approval. Identify areas where pathways may be improved, keeping in mind staff constraints. Evaluate the current pre-application process and make recommendations.
2. Discuss possible structures to engage a working group that interfaces with land and facility developers in the industry.
3. Consistent with Assembly goals, identify general processes and areas in existing Title 49 code that inhibit growth and development. The goal is to identify and prioritize tasks or projects that could be worked on by this task force or other groups.

- A. Call to Order
- B. Approval of Agenda
- C. Minutes
  - a. September 30, 2021 Draft Minutes
  - b. October 15, 2021 Draft Minutes
  - c. October 29, 2021 Draft Minutes
- D. Comments About Last Meeting
- E. Review of Variance Ordinance
- F. Assembly Retreat Update
- G. Examples of Permitting Delays
- H. Recommendations for Changes to Title 49
- I. Public Comment (10 Minutes)
- J. Suggestions for Next Agenda
- K. Next Meeting Date

**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
**HOUSING AND DEVELOPMENT TASK FORCE**  
**September 30, 2021 – Meeting Minutes**

**A. Call to Order**

The first meeting of the Housing and Development Task Force was held in the 4<sup>th</sup> Floor Conference Room of the Marine View Building, and was called to order by Chair Loren Jones at 12:00p.m.

**B. Introductions**

Michelle Hale – Current Assemblymember.

Nathaniel Dye – Planning Commissioner.

Paul Voelkers – Planning Commission member and local architect.

Wayne Jensen – Local Architect.

Phil Newman – Developer.

Mayor Beth Weldon – Current Mayor of the City and Borough of Juneau.

Maria Gladziszewski – Current Assemblymember, former Planning Commission member.

Dave Hanna – Local Contractor and Developer.

Sherri Layne – CBJ Law Department, Assistant Municipal Attorney (Civil)

Jill Maclean – Director, Community Development Department.

Rorie Watt – Current City Manager.

**C. Election/Selection of Vice Chair**

Mr. Hanna nominated Ms. Gladziszewski to be the Vice Chair of the HDTF. Ms. Gladziszewski accepted to the nomination.

*Hearing no objections, Maria Gladziszewski was appointed as Vice Chair of the Housing and Development Task Force by unanimous consent.*

**D. Discussion of Housekeeping Rules**

**a. Communications**

Mr. Jones explained that email communications will be managed by CDD Staff and the City Clerk's office.

**b. Staff Support**

Staff support for the HDTF will be provided by CDD Staff and the City Clerk's Office.

**c. Minutes**

Mr. Jones said that HDTF Meeting Minutes will be provided by a staff member from the City Clerk's Office.

**d. Chair's Role**

Mr. Jones described his role as Chair as a non-voting position that works in collaborate with CDD Staff and the City Clerk's Office.

**e. Web Presence**

Mr. Jones has reached out to a Juneau Public Library staff member to set up a webpage for the HDTF that is similar to the Economic Stabilization Task Force, which will include HDTF Agendas and Minutes from previous meetings.

**E. Attorney's Conflict of Interest and Open Meetings Act Issues**

Ms. Layne gave an overview of the Open Meetings Act, and explained that the OMA ensured transparency and provided the public with a general understanding of what happens during meetings. She added that hitting "Reply All" to an email could potentially imply that a meeting is taking place that is not open to the public. Ms. Layne advised against selecting "Reply All" for emails, and explained that if that were to occur, anything that was disclosed in that email will need to be disclosed at the next public meeting.

Ms. Layne gave an example of the "Rule of Three", which allows for members to discuss matters with at most two other task force members without violating the Open Meetings Act. Having a discussion that exceeds more than three task force members would be a violation of the OMA.

Ms. Layne also provided an explanation of the CBJ Conflict of Interest Code, which essentially states that if a member has a personal or financial interest in the topic/item being discussed, it is the member's responsibility to either declare it at the meeting, or discuss the matter with the Law Department.

Ms. Hale asked Ms. Layne if she could elaborate on serial OMA violations.

Ms. Layne explained that task members cannot "play telephone" with various members to discuss task force matters.

There was further discussion regarding the details of the Open Meetings Act.

Mr. Voelkers asked Mr. Jones if he could think of the HDTF engaging in a specific form of public process to receive public comment, or if that process would evolve organically.

Mr. Jones believed that process would evolve organically as they decide on their first tasks and meeting schedule.

Mr. Jensen added that each HDTF will provide Public Notice for upcoming meetings.

Mr. Jones agreed, and said that the HDTF website will include a public Zoom link and each meeting's agenda for public access.

Mr. Newman asked for further clarification regarding the Conflict of Interest Code. He noted that nearly everything that the HDTF will discuss could be of interest to his business, and would like an explanation on how to discern what would be a violation of the Conflict of Interest Code.

Mr. Jones explained that the value of having developers on the task force is to receive their input, and he would not see there being a conflict of interest unless their discussion topic directly involved a specific project of theirs.

Mr. Hanna noted that the developers on the task force do not have any judiciary powers, they are only there to make recommendations.

Mr. Watt described the Conflict of Interest Code as an early disclosure, and how to avoid advocating for something that could directly benefit one of his development projects.

#### **F. Discussion of Meeting Schedules – Responses from “Welcome E-mail”**

Mr. Jones asked if anyone had any recommendations for meeting times and schedules.

There was a discussion about scheduling and timing for subsequent meetings.

#### **G. Mayor’s Charge – Mayor to Present, then Questions and Clarifications**

Before reading her charge, Mayor Weldon thanked everyone for their willingness to devote their time and effort into this task force.

**Charge #1:** Review the path that a project must take to gain approval, identify areas where pathways may be improved (keeping within staff constraints), evaluate the current pre-application process, and make recommendations.

**Charge #2:** Discuss possible structures to engage a working group that engages with land and industry developers.

**Charge #3:** Identify general processes and areas in existing Title 49 code that inhibit growth and development.

Mr. Voelkers asked if this task force’s primary job would be to remove impediments, or would they also be discuss big-picture issues such as housing.

Mayor Weldon felt that this task force would be primarily focused on big-picture discussions, in addition to removing impediments.

#### **H. Discussion of First Topic to be Discussed at Next or Subsequent Meetings**

Mr. Jones suggested one of the first tasks that the HDTF target could be to analyze the Title 49 pre-application process with CDD.

#### **I. Set Next Meeting Date and Agenda**

Mr. Jones mentioned that the Assembly typically meets on Mondays, and the Planning Commission typically meets every other Tuesday. He asked if anyone had a preference between meeting on Wednesdays, Thursdays, or Fridays.

The HDTF agreed to meet every other Friday at 12:00p.m., and scheduled the next meeting to be held on October 15, 2021 at 11:00a.m.

In regards to the next meeting’s agenda, Mr. Jones recommended the developers to provide a presentation about the pre-application process.

There was a discussion about gathering agenda materials ahead of future meetings.

Ms. Maclean offered to send out examples of pre-application conference reports to help others familiarize themselves with what the report looks like, and the HDTF can discuss if there needs to be any changes made to the process. She explained that the intent of the pre-application process should streamline the permitting process for the applicants.

Mr. Dye recommended discussing the TPU and Conditional Standards, as those are some of the more common issues that come up during the pre-application process.

*There being no further business to come before the committee, the Housing and Development Task Force meeting was adjourned at 1:21p.m.*

DRAFT

**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
**HOUSING & DEVELOPMENT TASK FORCE**  
October 15, 2021 – *DRAFT* Meeting Minutes

**A. Call to Order**

The meeting of the Housing and Development Task Force was held in the 4<sup>th</sup> Floor Conference Room of the Marine View Building, and was called to order by Chair Loren Jones at 11:03a.m.

**Roll Call**

**Members Present:** Loren Jones, Maria Gladziszewski, Jill Maclean, Alexandra Pierce, Nathaniel Dye, Paul Voelkers, Dave Hanna, Wayne Jensen, and Bill Heumann.

**Members Absent:** Michelle Hale.

**Approval of Agenda**

Mr. Hanna noted that the current agenda did not have a designated item for agenda approval; he added that he would prefer the agenda to have an item to allow for public participation.

**MOTION** to reorder the agenda to place Item D before Item C.

*Hearing no objections, the motion passed by unanimous consent.*

Ms. Maclean recommended placing the public participation item towards the bottom of the agenda. She spoke to her previous experience in doing this, and said that it allowed suitable time for the meeting's agenda to be addressed prior to public participation. She added that public comment at the end of the meeting gave insight on what should be featured in the next meeting's agenda.

Mr. Jones questioned the need for public comment for a task force meeting, particularly considering that there has not yet been an agenda item they have dealt with that has called for testimony.

**B. Minutes for Approval**

**a. September 30, 2021 Draft Minutes**

**MOTION** by Mr. Hanna to approve the September 30, 2021 Minutes, with the corrected spelling of Mr. Heumann's name throughout the document.

*Hearing no objections, the minutes were approved by unanimous consent.*

**C. Discussion of Pre-Application Process**

Ms. Maclean provided the committee with a recent pre-application conference report. She explained that the pre-application conference became a requirement after many local developers found that their application was incomplete several weeks into the process.

The rewritten subdivision ordinance was adopted in 2015, this ordinance established that pre-application conference requirement.

Ms. Maclean described the pre-application conference as a service provided by CDD staff to help developers understand all of the information they must provide in their application. This service also ensures that the developers and any involved entities are all on the same page in the process.

Ms. Pierce added that oftentimes pre-application conferences can be held via phone or email.

Mr. Hanna mentioned that there have been times in which he felt that the pre-application conference process was not needed. He asked if CDD could possibly streamline the process, or if there was a breaking point that decided whether or not the pre-application process was necessary.

Ms. Pierce explained that it is a complicated issue, and part of the reason why CDD began conducting pre-application conferences via telephone and email. She noted that the process as it stands can help applicants who might otherwise waive a service that could be beneficial to their application.

There was further discussion about the timing and the necessity of the pre-application conference.

Mr. Heumann added that he appreciated giving applicants the option to decide whether to opt-in to the conference process, and spoke to the preparation that often occurs prior to applying.

Mr. Dye brought up a topic of conversation from his Title 49 Committee meetings: minimum submittals for applications. He also suggested finding a way to streamline the minimum requirements for pre-applications.

There was further discussion on various aspects on the conference process, particularly in comparison to other government agencies.

**MOTION** by Ms. Gladziszewski to draft an ordinance that allows minor subdivisions to have the option to opt-out of the pre-application conference.

Ms. Maclean expressed concern regarding this action, as CDD had been directed by the Assembly, and explained that changes to Title 49 must be reviewed by the Title 49 Committee, the Planning Commission, the Law Department, and the Assembly.

Ms. Gladziszewski noted that the Assembly will be hosting a retreat in December, during which they can decide where the HDTF could fit within their priorities.

Mr. Dye suggested allowing all applicants to have the option to opt-out of the pre-application conference, instead of only restricting to minor subdivision applicants.

**Amendment #1** by Ms. Gladziszewski. Ms. Gladziszewski amended her motion to state “to draft an ordinance that gives all applicants the option to opt-out of the required pre-application conference process.”

There was further discussion about the committee creating ordinances, and the notion to consider waiting until after the Assembly retreat to receive direct instruction on how to move forward with their priorities.

Ms. Gladziszewski clarified the intent of her motion was for the committee to draft an ordinance, and then take the time to discuss and amend it if needed.

Mr. Jones spoke to his experience in dealing with the continuous work and occasional disagreements that come with making changes to processes, especially considering the various entities represented on this committee.

Ms. Maclean had to exit the meeting.

*Hearing no objections, the motion passed by unanimous consent as amended.*

There was a discussion about CDD staffing levels, the workload given to CDD staff, and the amount of that workload that could be handled within the committee or by a third-party entity.

- D. Review of Documents Emailed Out to Members: Question or Discussion**
  - a. 2020 Housing Forum Presentation**
  - b. Example of a Pre-Application Conference Report**
  - c. August 2021 Title 49 Land Use Code Updates Memo to Lands, Housing, & Economic Development Committee**
  - d. July 2021 Title 49 Land Use Code and Industrial Zoning and Table of Permissible Uses Memo to Lands, Housing, & Economic Development Committee**
  - e. Community Development Department Overview**
  - f. Final Comprehensive Plan Memo to CBJ Assembly 2018**
  - g. Links to:**
    - i. Table of Permissible Uses**
    - ii. Table of Dimensional Standards**
    - iii. Upstairs Downtown**
    - iv. Comprehensive Plan**

**E. Suggestions for Next Agenda**

Mr. Jones mentioned that the agenda for the next two meetings would focus on the development of Task Force recommendations to the Assembly priorities. These recommendations will be brought to the Assembly prior to the Assembly Retreat on December 4.

**F. Next Meeting Date**

Mr. Jones scheduled the next Housing & Development Task Force meeting to be held on October 29 at 12:00p.m.

*There being no further business to come before the committee, the Housing & Development Task Force meeting was adjourned at 1:14p.m.*

DRAFT

**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
**HOUSING & DEVELOPMENT TASK FORCE**  
October 29, 2021 – Meeting Minutes

**A. CALL TO ORDER**

Chair Loren Jones called the Housing & Development Task Force Meeting to order at 12:05p.m.

**B. APPROVAL OF AGENDA**

**MOTION** by Mr. Hanna to add a new topic under **Item E – CDD Workload & Resources** to include: “d. Task Force Recommendations to the Assembly”.

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

**C. MINUTES**

**a. October 15, 2021 Draft Minutes**

**MOTION** by Mr. Hanna to change the language in **Item E - Suggestions for Next Agenda** to state “...coming up with Task Force recommendations to the Assembly Priorities.”

**D. Comments About Previous Meeting**

Mr. Hanna recalled that the task force unanimously agreed to draft changes to Title 49 that would allow for the pre-application process to become optional. He asked for clarification on the next steps following this decision.

Mr. Jones mentioned that the Law Department had begun drafting an amendment to Title 49 for the pre-application process, however, this did not include making the process optional. He added that the Law Department is currently addressing each item in their amendment, and it is an ongoing process.

There was a discussion regarding the draft amendments to Title 49.

Ms. Gladziszewski and Ms. Hale spoke to bringing the draft ordinances to the Lands, Housing, and Economic Development Committee and the Committee of the Whole.

**E. CDD Workload & Resources**

**a. Discussion Based on Previous Documents Sent to Task Force**

**b. Memo from City Manager to Lands, Housing, & Economic Development Committee**

Mr. Hanna shared that he felt disheartened by the memo. He said that the memo seemed to recommend appointing a hearing officer, rather than receiving a hearing from the Planning Commission. Mr. Hanna believed that appointing a hearing officer, as employed by the city, would not be impartial to the applications they would be tasked with handling.

Mr. Watt clarified that he did not make any recommendations in his memo to the LHEDC, as stated in the document.

**c. Memo from CDD Regarding Priorities**

Ms. Maclean explained how CDD Priorities and Assembly Goals are established and developed each year, and how it corresponded with the table featured in the memo.

Mr. Jones advised the task force to be clear on exactly what changes they would like to make to certain processes, and reminded them that the Planning Commission is not obligated to accept any of the priorities they set.

Mr. Heumann noted that Code administration in relation to permit processing was not included in the Priority List. He felt that permit processing should be considered one of the topmost priorities for the task force, particularly the timing of the process.

Ms. Maclean spoke to CDD's involvement in permitting, and said that the permitting process was considered a guaranteed priority for the department.

#### **d. Task Force Recommendations to the Assembly**

Ms. Gladziszewski introduced task force ... she suggested that one of the priorities could be an assessment of Title 49.

Mr. Hanna suggested the task force conduct an assessment of CDD's current workload, and determine which projects could be outsourced to a consultant.

Mr. Heumann shared that local developers have expressed frustration with the length of time it takes to complete the permitting process. He also called for the task force to review CDD's workload, re-delegating their responsibilities to allow for an expedited process.

Mr. Dye mentioned that amending Title 49 can be a complicated effort due to the amount of staff time it takes for CDD and the Law Department to review and draft each amendment.

Ms. Hale and Ms. Maclean discussed CDD developing and presenting a matrix to share with the task force and the LHEDC.

**MOTION** by Ms. Gladziszewski for the Housing & Development Task Force to draft and forward a memo to the Assembly that listed the priorities of the task force.

The first priority listed was for the task force to identify ways in which the permitting process could be completed in a timely manner.

The second priority chosen for the list directed the task force to conduct a thorough review of Title 49.

The third and final priority listed called for the task force to rewrite the Comprehensive Plan.

Mr. Dye supported Ms. Gladziszewski's motion, and gave an example of how changes at the federal level can affect ongoing development projects and Title 49 as a whole.

Mr. Heumann also spoke in favor in Ms. Gladziszewski's motion.

Ms. Maclean spoke to the efficient timing of how permits are issued, particularly compared to the timing of permitting compared to other communities of comparable size. She also explained that certain applications given to CDD are incomplete or incorrect when submitted; this

sometimes results in a cycle of corrections and re-submissions between CDD and the developer, which cannot be entirely attributed to CDD's workload.

*Hearing no objections, the motion passed with unanimous consent.*

**F. Comments on Two Draft Documents Related to Process for Task Force to Move Recommendations from and to Another Body**

Mr. Jones will present a draft memo to the task force at the November 12, 2021 HDTF meeting, as well as a draft memo in relation to the pre-application process as discussed at the October 15, 2021 HDTF meeting.

**G. Public Comment (10 Minutes)**

**Travis Arndt** – Mr. Arndt spoke to the amount of backlog that has been attributed to the Code and to Title 49. He recommended for the main revisions to Title 49 to be reductions and deletions, rather than additions. Mr. Arch said that adding more amendments to Title 49 creates more work for CDD staff and the Planning Commission, and does not necessarily change or improve the finished product.

**H. Suggestions for Next Agenda**

Mr. Hanna had two agenda item suggestions: the first suggestion was to bring recommendations for changes in Title 49, the second suggestion was to bring a list of permitting delays to review.

**I. ADJOURNMENT**

There being no further business to come before the Housing & Development Task Force, the meeting was adjourned at 1:21p.m.