

**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
**HOUSING & DEVELOPMENT TASK FORCE**  
December 10, 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:** Ex-Officio Chair Loren Jones, Dave Hanna, Wayne Jensen, Bill Heumann, Paul Voelckers, Nathaniel Dye (via Zoom)

**Members Absent:** Vice Chair Maria Gladziszewski and Michelle Hale.

**Staff Present:** City Manager Rorie Watt, Mayor Beth Weldon, City Attorney Robert Palmer, Community Development Department Director Jill Maclean, CDD Administrative Assistant Chelsea Wallace, Assistant City Attorney Sherri Layne, Municipal Clerk Beth McEwen

**B. Approval of Agenda**

*Hearing no changes, the agenda was approved as presented.*

**C. Approval of Minutes**

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

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

**c. October 29, 2021 Draft Minutes**

Mr. Voelckers noted that the October 29 Meeting Minutes listed him as being present at the meeting, when he was actually absent and traveling during that time.

*Hearing no further comments, the September 30 and October 15 Minutes were approved as presented.*

**D. Comments About Last Meeting**

There were no comments about the November 12, 2021 meeting.

**E. Review of Variance Ordinance**

Mr. Jones referenced the discussion surrounding variances at the November 12 meeting, which prompted him to invite City Attorney Robert Palmer to today's meeting to provide additional insight to variance-related ordinances.

Mr. Palmer thanked Mr. Jones for the introduction, and identified two key concepts essential to this discussion: the Conditional Use Permit (CUP) and the concept of variances. He described the Conditional Use Permit as a permit approval process designed to provide flexibility to

developers, whereas a variance is a request that violates the law as it is written. He further explained that variances are not meant to be used for flexibility purposes.

Mr. Palmer gave a general overview describing the legal processes, comparing State law practice to local Assembly rulings in relation to variances.

Mr. Voelkers added that variances are often rather difficult to obtain, and heavily rely on geographical and physical limitations.

Mr. Hanna mentioned that 30% of Juneau's ordinances are in some way related to Title 49. He said that this number of ordinances is a testament to an underlying problem that is in need of being addressed, adding that a functional Title 49 would not necessitate such a high amount of ordinances.

Mr. Voelkers asked CDD Director Maclean to define the criteria in which a Conditional Use Permit is necessary. Ms. Maclean explained that the CUP process is often determined on the number of dwelling units, bedrooms, and acreage. She suggested that the committee keep neighborhoods in mind when considering the CUP process, and to recognize the impact that rezoning may have on neighboring properties.

Mr. Jones shared his experience from attending a significant amount of Planning Commission meetings over the past nine years, saying that the public process is often the most contentious part of the CUP process. He spoke to the importance of allowing the public the ability to weigh in by opting for a thorough public comment period.

Mr. Jones asked Ms. Maclean to clarify where in the process the public comment period begins prior to a Planning Commission decision, such as a neighborhood meeting hosted by CDD. Ms. Maclean shared that the initiation of the public comment period is at her discretion as CDD Director, and typically depends on the type of permit being issued. She added that she takes this aspect of her role very seriously, and has adopted the Systemic Racism Review Committee criteria into her decision-making. Ms. Maclean also added that CDD strives to issue notice to the public at least six weeks in advance, beyond the standard two week public notice requirement.

There was further discussion and clarification related to the Conditional Use Permit process.

#### **F. Assembly Retreat Update**

Mayor Weldon provided an update on the Assembly Retreat that was held on December 4, where the Assembly met to decide upon the Assembly Goals for 2022. Mayor Weldon reported that the Assembly considered the revision of Title 49 and updating the Comprehensive Plan as Assembly Goals related to the Housing and Development Task Force.

Mayor Weldon added that one of the Assembly Goals involved allocating funds for the purpose of accomplishing the goals they established.

Mr. Watt reported that the Assembly discussed revising and improving Title 49, facilitating housing, the implementation of projects and strategies that further develops the Affordable Housing Action Plan, and continue utilizing the Affordable Housing Fund.

Mr. Voelkers asked if the Assembly had considered an entire rewrite of Title 49 or selective upgrades to Title 49 as needed. Mayor Weldon said that the sentiment of the Assembly seemed to be to revise Title 49 as needed.

#### **G. Examples of Permitting Delays**

Mr. Jones recommended this topic be included in the agenda for a future meeting.

#### **H. Recommendations for Changes to Title 49**

Mr. Heumann shared that the developers held a meeting on December 7, the general consensus from this meeting expressed that a revised Title 49 should include specific requirements for the timing of the permitting process. He added that one of the biggest problems shared amongst local developers was identified as a lack of communication between developers and the City. Mr. Heumann provided examples of this through his experiences with the City from past developer projects.

Mr. Hanna agreed with Mr. Heumann's report, and said that communication issues was one of the biggest concerns discussed at the developer meeting. He acknowledged the staffing issues at CDD, and suggested the City address the empty positions through contracting outside help.

Mr. Voelkers noted that one of the first actions taken by this committee was to modify the pre-application process. He asked if a streamlined pre-application process would help address concerns regarding timing. Mr. Jensen explained that the pre-application process typically takes up to a year, during which the project often morphs and changes, which in turn results in further delays in the pre-application process.

There was further discussion regarding the details and the timing of the pre-application process.

Ms. Maclean explained that the issue regarding the pre-application schedule was recently brought to her attention, and she was able to fix that problem the following day. She encouraged the development sector to plan further out with their scheduling, noting that the winter months are often a slower time for CDD. Ms. Maclean also said that putting hard deadlines into Code would be difficult; if the developers were asking CDD to consider adopting hard deadlines into Code, she noted that in order to do so, pre-applications would need to be detailed, specific, and meeting the requirements set by the state.

Ms. Maclean provided an update on recently filled CDD staff positions.

#### **I. Public Comment (10 Minutes)**

Municipal Clerk Beth McEwen mentioned that the draft Assembly Retreat Meeting Minutes would be posted later that day, prior to the Regular Assembly Meeting on December 13.

**J. Suggestions for Next Agenda**

Mr. Jones set the agenda for the next meeting to include a discussion related to the Table of Dimensional Standards, Permitting, and Title 49.

There was a discussion about Title 49 in relation to the local housing shortage.

**K. Next Meeting Date**

Mr. Jones recommended the committee set the next HDTF meetings to be held on January 14 and January 28. Ms. Maclean shared that she would be travelling during January 28.

Mr. Jones then discussed possible dates with the task force and a consensus was reached to hold the next meeting dates on January 7 and January 21.

**L. ADJOURNMENT**

*There being nothing else to come before the Housing & Development Task Force, the meeting was adjourned by Chair Loren Jones at 1:30p.m.*