Minutes
**Planning Commission**
Regular Meeting
CITY AND BOROUGH OF JUNEAU
*Ben Haight, Chairman*
July 25, 2017

## I. ROLL CALL

Ben Haight, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:04 p.m.

**Commissioners present:** Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Michael LeVine, Nathaniel Dye, Percy Frisby, Dan Hickok

**Commissioners absent:** Dan Miller, Kirsten Shelton, Carl Greene

**Staff present:** Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Allison Eddins, Planner I; Jill Maclean, Senior Planner; Greg Chaney, Lands Manager; Robert Palmer, Assistant Municipal Attorney

**Assembly members:** Debbie White

## II. APPROVAL OF MINUTES - None

## III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

## IV. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison to the Planning Commission Debbie White reported that the Assembly has decided which one percent items will go on the ballot, with the focus on maintenance of the existing infrastructure. The mining ordinance committee is moving forward and will they will probably ask two Commission members to serve on that committee, with three Assembly members and two members of the public. The Assembly is looking into an area that can be used as a winter campground, but they are running into zoning issues, said Ms. White. There may be direction coming from the City Manager's office to make an exception on zoning due to community needs, said Ms. White.

*Commission Comments and Questions*
Mr. Hickok said that he would be interested in serving on the mining committee.

## V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

## VI. CONSENT AGENDA

***Mr. LeVine requested that CSP2017 0011 and CSP2017 0012 be pulled from the Consent Agenda and placed on the Regular Agenda.***

***Mr. Dye requested that USE 2017 0015 be pulled from the Consent Agenda and placed on the Regular Agenda.***

**USE2017 0013:** Conditional Use Permit to allow the operation of a marijuana cultivation facility on a General Commercial zoned lot.
**Applicant:** Alaska Pacific Gold, Inc.
**Location:** 5450 Jenkins Drive, Unit A

**Staff Recommendation**

It is recommended that the Planning Commission adopt the Director's analysis and findings and approve a Conditional Use Permit. The permit would allow the development of a 2,160 square foot marijuana cultivation facility in a General Commercial zoning district.

The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ Landfill.

2. No offsite glare shall be produced by exterior doorway lights.

3. Prior to approval of a CBJ marijuana license, it shall be demonstrated that surveillance cameras have an unobstructed view of each doorway in the building.

4. Prior to approval of a CBJ marijuana license, it shall be demonstrated that security cameras have an unobstructed view of areas of regular activity.

5. Prior to approval of a CBJ marijuana license, a revised surveillance camera plan shall be submitted to ensure the facility has adequate surveillance coverage.

**MOTION:** *by Mr. LeVine, that the staff's findings, analysis and recommendations be accepted and that USE2017 0013 be approved.*

***The motion passed with no objections.***

**VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS** - None

**VIII. UNFINISHED BUSINESS** - None

**IX. REGULAR AGENDA**

**CSP2017 0011:** Consistency review for disposal of CBJ owned property; Lot 4 and Lot 5, Renninger Subdivision, Lemon Creek.
**Applicant:** City and Borough of Juneau, AK
**Location:** Jackie Street

**Staff Recommendation**

Staff recommends that the Planning Commission find CSP2017 0011 and CSP2017 0012 to be consistent with adopted local plans and polices, as required by CBJ 49.10.170(c), CBJ 49.15.580 and CBJ 53.09.260, and forward to the Assembly a recommendation for approval to allow for the sale of Lot 2 Renninger Subdivision by negotiated sale and Lots 4 & 5 Renninger Subdivision by sealed competitive bid. This recommendation is based on the following condition:

1. Consider requiring the development of the maximum practical number of units per lot as a condition of the sale for Lots 2, 4 and 5.

**CSP2017 0012:** Consistency review for disposal of CBJ owned property; Lot 2, Renninger Subdivision, Lemon Creek.
**Applicant:** City and Borough of Juneau, AK
**Location:** Jackie Street

**Revised Staff Recommendation**

Staff recommends that the Planning Commission find CSP2017 0011 and CSP2017 0012 to be consistent with adopted local plans and polices, as required by CBJ 49.10.170(c), CBJ 49.15.580 and CBJ 53.09.260, and forward to the Assembly a recommendation for approval to allow for the sale of Lot 2 Renninger Subdivision by negotiated sale, and Lots 4 & 5 Renninger Subdivision by sealed competitive bid and over the counter sale (revision). This recommendation is based on the following condition:

1. Consider requiring the development of the maximum practical number of units per lot as a condition of the sale for Lots 2, 4 and 5.

Mr. LeVine said he had a concern with the language in the condition.

**MOTION:** *by Mr. LeVine, to approve CSP 2017 0011 and CSP2017 0012 subject to changing the condition to read that: "The Planning Commission encourages the development of the maximum practical number of units."*

Ms. McKibben pointed out that there is additional information on this item indicating that the Lands Department also requested that the recommendation be amended to add the language, "and over-the-counter sale".

Mr. Voelckers asked for a little more information regarding the change in the information received this evening by the Commission.

Ms. McKibben said that lot 2 would be for a negotiated sale. They have already begun negotiations with Alaska Housing Development Corporation, she said. Lots 4 and 5 would be available for sale by sealed competitive bid, she explained. They have requested that the option be added, "and/or over the counter sales".

Mr. Chaney explained that a sealed competitive bid sale is a big, complicated process. It usually yields very good results, he added. However, he explained, if they have lots left over after the competitive bid, it could take months to reinstitute the process. If the properties do not sell after a sealed, competitive bid, then they are available as first-come, first-serve, via an over-the-counter sale, explained Mr. Chaney.

Mr. Hickok asked if the property came to the point of an over-the-counter sale, if the price would drop.

Mr. Chaney responded that they are required to sell the lots at fair market value. They would have to go to the Assembly for approval if they were to sell the lots for less than fair market value, he added.

In answer to a question posed by Mr. Voelckers, Mr. Chaney said the minimum price for the lots is fair market value, and that would be the price should the lots be sold via an over-the-counter sale.

Mr. Frisby asked how long the lots would be available for bids.

There is a 45 day advertising period for the sealed competitive bids, said Mr. Chaney. Bids can be submitted during that time, he said, and they set a date for opening the bids. Should the lots go to over-the-counter sale; Mr. Chaney said there is no closing time.

Mr. Voelckers asked what the practical application would be of the condition placed upon the lot sales.

That condition would be largely aspirational, said Mr. Chaney. He added that it is difficult to control property after it is sold. They can certainly encourage that the property be developed to its full capacity, said Mr. Chaney. But forcing someone to do something with their property after it is sold would be difficult, he said.

***The motion with the condition amended by Mr. LeVine passed with no objection.***

**USE2017 0015:** A Conditional Use Permit to allow a commercial hydroponic vegetable farm in a D-5 zoning district.
**Applicant:** Allen and Gerri Butner
**Location:** 9220 Lee Smith Drive

The lot is located in a D-5 zoning district, said Ms. Eddins. The Comprehensive Plan land use designation is for Urban, Low Density, Residential, she explained. The applicant lives on site and the property is currently used for a single-family residential home, she said.

The applicant plans on using six, large container vans that will be converted to accommodate hydroponic indoor gardening, she said. The containers will have utilities, she said, therefore requiring a building permit. The applicant plans on placing the containers in his backyard stacking them three across and two high, said Ms. Eddins. Each container is 40 feet long, eight feet wide, and 10 feet high, she said.

The applicant did receive a Conditional Use Permit for this operation in November, 2014, noted Ms. Eddins. This type of permit expires after 18 months if no building permit has been pulled or if no significant progress has been made, she said.

The CBJ Lands Division had no objection to this use, said Ms. Eddins. However it does stipulate that the applicant not use the adjacent CBJ property for storage, she said, or for access to the applicant's lot. The trailers stacked two high will total 20 feet, with the allowable height within the zone set at 25 feet, said Ms. Eddins. The maximum lot coverage allowed within this zone is 50 percent, and even with the addition of the trailers the applicant meets those requirements, said Ms. Eddins.

The staff recommends three conditions which have to do with vegetative coverage, said Ms. Eddins:

1. A vegetative cover plan shall be provided indicating how the 20 percent minimum is met, and shown on a site plan reviewed and approved by CDD staff prior to issuance of a building permit for the proposed structures.

2. The applicant shall plant or bond for the installation of a minimum of 1,961 square feet of required vegetation prior to the issuance of a Certificate of Occupancy.

3. The vegetative cover areas shown on the plans submitted shall be maintained with the vegetative cover.

The staff also recommends two other conditions, said Ms. Eddins:

1. An expansion of the business that includes any additional containers beyond the proposed six would require a new Conditional Use Permit to properly evaluate the effect of an additional container to lot coverage and vegetative cover.

2. If there comes a time when the business ceases operation, the containers must be removed from the site.

The applicant does not plan on having any employees, and there will be one delivery truck, said Ms. Eddins. There will be no retail sales on site, she said. Commercial businesses are not allowed to use back-out parking, said Ms. Eddins.

*Commission Comments and Questions*
Mr. Dye asked if the business is expanded, if a request for a new Conditional Use Permit for the new containers would void the existing Condition al Use Permit.

Ms. Eddins said those would be separate permits.

Mr. Voelckers said judging by the photograph there appears to be encroachment on the adjacent City property. He asked what the nature of that encroachment entailed.

Ms. Eddins said she felt Mr. Chaney could answer that question.

Mr. Voelckers asked if it was stated anywhere in the conditions that a rear-yard survey was required to ascertain if there was encroachment on the City land.

Ms. Eddins said that one of the conditions in the subsequent Conditional Use Permit related to this operation is that the applicant submit an as-built survey.

Mr. Hickok asked what the consequences would be should the applicant sell the land.

Ms. Eddins replied that the permit runs with the property and a new land owner could continue to operate that business.

Mr. Hickok asked how the City could judge if the vans continued to be in operation.

Mr. Steedle responded that the City may not be aware of the business closure, should that occur. The City would respond to complaints made by neighbors, he added. There is a condition that if the containers are no longer in use that they be removed, he said.

*Applicant*
Mr. Butner told the Commission that the vegetative cover conditions confused him. He said if they already meet that condition, he does not see why it is necessary to place it as a condition. The property has been surveyed and he has measured the vegetative cover on the property, he said.

At some point there will be employees, said Mr. Butner. There may be one or two additional employees, he said. The groundcover spilling over onto CBJ property was once a sandbox for the day care center, he said. They had been told when they purchased the property that it extended 20 feet more than it actually does, as they discovered once the survey was completed, he said. They will remove the sandbox, he said.

*Commission Comments and Questions*
Mr. Hickok said he was curious how much produce the applicant expected from his business.

They expect to provide all of Juneau with fresh produce, said Mr. Butner, consisting of leafy greens. They can also grow cherry tomatoes, small peppers, and strawberries in addition to the leafy greens, he added.

Mr. Dye asked what the "other plant matter" was that Mr. Butner listed in his application. That was listed in his application so that they are not limited to growing only the items listed specifically in the permit, he said.

Mr. Hickok asked if there would be any regulation by the Department of Environmental Conservation (DEC).

Mr. Butner responded that in his consultation with that agency he was told that if they wanted to do anything other than cut down the plants they would need a license for a commercial kitchen.

Mr. LeVine said he noted the gross floor area of the container vans is 960 square feet, which would amount to only three of the container vans. Since the applicant mentioned one or two employees, Mr. LeVine said he wondered how this would affect the parking for the business.

Ms. Eddins said she had not heard until tonight that there would be additional employees for the business other than the family. She said they should add a condition that the applicant

submit a plan indicating that he is meeting the parking requirement based upon Title 49 which uses gross floor area.

In answer to Mr. LeVine's question, Ms. McKibben responded that the gross floor area should be double what is listed in the staff report.

The parking space requirement is one space per thousand square feet, so the applicant would need two parking spaces, confirmed Ms. McKibben. There is sufficient space on the site to accommodate the two required spaces, she added.

Mr. LeVine asked if the parking requirements would change if the applicant had two employees.

Ms. Eddins said that the parking requirements are based upon square footage. The staff would like to see a parking plan submitted by the applicant, she said, prior to applying for a building permit.

Mr. LeVine asked why the applicant would need to submit a parking plan when he already has parking in excess of the requirement.

Ms. Eddins responded they just wanted to make sure that there was plenty of parking.

If the business closed and the containers needed to be removed, Mr. Dye asked how the City would facilitate that action. He asked why there was a concern about the containers remaining on the property should the business close and why there is a condition that they be removed.

The condition to remove the containers should the business cease operation is related to public health and safety, answered Ms. Eddins. There would be concerns that the electrical system remain to code that the structure remains safe, she added. This is to protect the neighborhood, said Ms. Eddins.

Mr. Dye asked if there was a way to enforce this condition should the business fail to lack of funds. (*see paragraph one, page 7*)

Mr. Dye asked why the containers would not be bonded.

Ms. McKibben answered there are a set of conditions related to vegetative cover, and bonding for the installation is one from the picklist. There is nothing on the picklist which addresses the containers and their removal, she said. The Commission could consider bonding for the containers but the staff did not consider this option, said Ms. McKibben.

Mr. Voelckers asked if there is a precedent set by the City for a definition of "cease operation".

He asked if the business would be considered to cease operation should it not operate for a month, or a year, or several years.

Ms. Eddins said a business is considered to cease operation if it has not been in operation for 365 days.

This is addressed in the nonconforming section of the code, said Ms. McKibben. If the Commission wanted to make sure that this was very clear, they could specify it in this case, she answered.

**MOTION:** *by Mr. Dye, to approve USE2017 0011 and accept staff's findings, analysis and recommendations and modify the last condition to add bonding for the removal of the containers with the cost to be determined by the building official and that the director can determine the appropriate means for that financial security. Advisory condition number one should be that marijuana may not be grown on the site.*

Mr. LeVine said he was in general favor of the motion. He said he would like to amend the language slightly on the last condition, "to require bonding and that the containers be removed if and when the business ceases operation for 365 continuous days or moves location".

Mr. Dye accepted Mr. LeVine's proposal as a friendly amendment.

Mr. Voelckers said he thought he heard the staff mention during this meeting that a parking plan should be required. Mr. Voelckers suggested that condition one be amended to say, "A site plan be provided illustrating both parking and vegetative cover to be reviewed and approved by CDD staff prior to issuance of a building permit".

Mr. Dye accepted Mr. Voelckers' proposal as a friendly amendment.

Mr. LeVine said that bonding for vegetative cover makes sense to him since it was something that would take place at the beginning of the process. Bonding for removal of something could be years in the future, he noted. He asked if this type of bonding is something that the City typically does.

Ms. McKibben said while this is something that the City does, there is not a strong history of the City enforcing those bonds.

Mr. Steedle added that typically the City is bonding so that improvements such as the construction of roads and sidewalks are guaranteed by that performance bond. He said the bonding currently being discussed by the Commission is extraordinary in his view.

Ms. McKibben said she agreed that bonding as outlined by the Commission on this item is an unusual practice.

Mr. Butner interjected to say that each container van costs $120,000. He said should he move he would not be leaving them behind.

**MOTION:** *by Mr. Dye (incorporating friendly amendments), to approve USE2017 0015 and accept staff's findings, analysis and recommendations, and to modify condition one to state that a site plan be provided illustrating both the parking spaces and vegetative cover of at least 20 percent, to be reviewed and approved by CDD staff prior to issuance of a building permit." A condition was added "to require bonding and that the containers be removed if and when the business ceases operation for 365 continuous days or moves location, with the cost to be determined by the building official, and that the Director can determine the appropriate means for that financial security". Additionally, the following advisory condition was moved to mandatory condition list as condition #9: "This conditional use permit does not authorize marijuana to be grown, cultivated, processed, tested or sold within or on this property."*

***The motion passed with no objection.***

**USE2017 0016:** A conditional use permit to allow the encroachment into a rear yard setback that is classified as a CBJ recreational area.
**Applicant:** Allen and Gerri Butner
**Location:** 9220 Lee Smith Drive

**Staff Recommendation**
Staff recommends that the Planning Commission adopt the director's analysis and findings and approve a conditional use permit to allow a structural projection of up to 10 feet into the required rear yard setback. The approval is subject to the following conditions:

1. The setback is reduced to 10 feet instead of five feet as the applicant has requested.

2. The applicant is required to have an as-built completed by a licensed surveyor to verify the location of the containers prior to issuance of a temporary certificate of occupancy.

This is for a Conditional Use Permit for an encroachment into a rear yard setback that adjoins CBJ land, said Ms. Eddins. The CBJ land is classified as a recreational area, she noted. The encroachment must be minimized, said Ms. Eddins. It is to prevent excessive hardship to the applicant, she said. The applicant would like to place the container vans within five feet of his rear property line, said Ms. Eddins. This would leave 16 feet between the applicant's residence and the closest container, said Ms. Eddins. The applicant stated he feels he needs the 16 feet in order to have space to adequately clean and maintain the container vans, she noted. The staff

recommends that the encroachment be lessened 10 feet instead of the requested five feet, said Ms. Eddins. This would provide 11 feet between the nearest container and the residence, she said. This would help minimize the encroachment as stipulated in Title 49, while at the same time providing some relief to the applicant, said Ms. Eddins. This location would also minimize view of the container vans from the highway and from neighbors, she said.

The Conditional Use Permit request met all of the necessary findings. Several additional findings were also met, said Ms. Eddins:

1. Is the effective yard adjoining publicly owned land which has been placed in a park, open space, or similar restrictive land management classification? - Yes

2. Are the projections necessary to prevent substantial hardship the applicant? - Yes

*3.* Are the projections minimized? – Ms. Eddins recommended that the Planning Commission approve a setback encroachment of 10 feet instead of the 15 feet that the applicant was asking for.

*Commission Comments and Questions*
Mr. LeVine said he did not understand why the applicant's requested five feet setback projection was not granted and instead 10 feet was suggested by staff. He asked for the justification for that particular number.

Ms. Eddins said reviewing the applicant's request and considering that projections should be minimized and yet at the same time they should not be excessive hardship to the applicant, that 10 feet seemed like a good number.

Mr. Frisby asked about the space between the container vans as shown in the illustration.

Ms. Eddins said there is actually no space between the containers.

Mr. Frisby asked what kind of vegetation is on the CBJ adjoining property.

It is a natural area with lots of trees, said Ms. Eddins.

*Applicant*
The first time he applied for the Conditional Use Permit the staff had said that a five foot rear yard setback would be acceptable, said Mr. Butner. That is why he requested the five foot rear setback this time, he said. When they put the second level of the containers up, they will need stairs to the upper containers, he said. Four foot wide stairs would take the 11 foot difference to seven feet, he said. He needs to be able to access equipment sheds and have room for snow

removal, he said. They need the extra five feet, said Mr. Butner. He said he did not understand why there was a change in the rear yard setback allowance.

*Commission Comments and Questions*
Mr. Voelckers asked the applicant if he could review testimony from neighbors at his first Conditional Use Permit request in favor of the van location.

Most of the neighbors are open to the idea and excited about the project, said Mr. Butner. Neighbors were not worried about whether he put a fence up or not, said Mr. Butner.

Mr. Voelckers asked what the survey just completed told the applicant about available land on his back lot line.

The back property line is accurate, said Mr. Butner.

Mr. Hickok asked if the containers require exterior maintenance.

They do not require any special maintenance, said Mr. Butner.

Mr. Hickok asked if a five foot rear yard setback would be enough room to perform maintenance on the containers.

Mr. Butner replied that would be enough room for exterior maintenance on the containers.

Mr. Chaney said they did object to a zero rear yard setback. They often find the creep of materials and activity on to adjoining CBJ land, he said. A five foot rear yard setback is very minimal, and they were pleased at the 10 foot rear yard setback suggested by staff, he said. He said he found it difficult to believe that a ladder on only five feet of ground could be put up against a 20 foot building.

In answer to a question by Mr. Voelckers regarding the nature of this City property, Mr. Chaney said this area was dedicated to public use in 1954.

Mr. Voelckers asked if there is right-of-way access to the City land.

Mr. Chaney said there is access to the land.

Ms. Eddins said the applicant did submit a site plan, and that it is available for the Commission in their materials. That is where the applicant shows the distance between his property and his rear lot line, she said.

Mr. LeVine said from reviewing the materials there is approximately 45 feet between the house and the rear yard setback, with 24 feet taken up by the containers.

**MOTION:** *by Mr. Voelckers, to approve USE2017 0016 and accept staff's findings, analysis and recommendations, modifying staff's finding to reduce the setback to five feet instead of 10 feet. The Commission adds the condition that the site survey is completed and if there are found to be features of the property that are on the City land that those features be removed.*

In support of his motion, Mr. Voelckers said there may not be a full 45 feet between the house and the rear yard setback and that even with the five foot setback there would be less than 16 feet between the house and the container vans, and that given the reality of the existing structure and the relatively benign face of the vans toward the public property, that he felt he could easily live with the five foot rear yard setback.

Speaking in support of Mr. Voelckers' motion, Mr. LeVine said he thought the staff recommendation was to allow a structural projection of up to 10 feet into the required rear yard setback. He said if they changed that staff recommendation for up to 15 feet, striking condition one, the same goal could be achieved.

Mr. Voelckers accepted Mr. LeVine's suggestion as a friendly amendment.

**MOTION:** (*incorporating the friendly amendment by Mr. LeVine) by Mr. Voelckers, to approve USE2017 0016 and accept staff's findings, analysis and recommendations, eliminating condition one and instead allow a structural projection of up to 15 feet into the required rear yard setback. The Commission adds the condition that the site survey is completed, and if there are found to be features of the property that are on the City land that those features be removed.*

Ms. McKibben suggested that the Commission discuss the minimization of the projections and how they are addressed with the allowance of a 15 foot encroachment instead of the 10 foot encroachment.

Mr. Voelckers responded that based upon the survey that there may not be as much land behind the home as the staff had believed. Mr. Voelckers said he felt the motion was providing a practical minimum to build an access stair and preserve the features that the applicant mentioned were already on site. He said he felt the purpose of the motion was minimizing the impact of the proposed operation.

Mr. LeVine added that he did not see any compelling information that persuaded him that they needed to deviate from what the Commission had decided on this same issue several years ago.

***The motion passed with no objection.***

## X. BOARD OF ADJUSTMENT - None

## XI. OTHER BUSINESS

Mr. LeVine said he was referring to the parcel of land the Commission had voted to rezone several weeks ago. He said that he would like to make a motion to change the underlying Comprehensive Plan designation from Medium Density Residential to Traditional Town Center. In support of his proposal, Mr. LeVine said the action the Commission took two weeks ago was correct. He said it is certainly true that the existing zone is in alliance with the Comprehensive Plan. Mr. LeVine said that he has become convinced upon reflection that it is more appropriate that this parcel of land be designated a Traditional Town Center. He said he felt that was more consistent with what the parcel of land is and has been in the past.

Chairman Haight said that both he and Mr. Voelckers would need to recuse themselves from this discussion, leaving only four Commission members. Chairman Haight said he encouraged Mr. LeVine to hold this motion until the next meeting when hopefully a larger quorum would be present.

Mr. Frisby added that he would like to see this motion tabled until there was a larger quorum present.

Chairman Haight and Vice Chairman Voelckers recused themselves from this discussion due to conflicts of interest.

**MOTION:** *by Mr. LeVine, that the Assembly change the Comprehensive Plan land designation for lots one through eight of block 25, which includes 415 Fifth Street, and 416 and 419 Sixth Street, from Medium Density Residential to Traditional Town Center.*

Speaking in support of his motion, Mr. LeVine stated this is to accommodate the actual structures on that parcel, and to make it more consistent with future uses.

Mr. Frisby requested that this motion be tabled until the next meeting or until an adequate quorum of the Planning Commission was present.

***The motion was tabled until the next meeting or until an adequate quorum is present.***

## XII. DIRECTOR'S REPORT

Mr. Steedle stated that the mining committee met on Friday. They determined that they wanted to add two members of the Planning Commission and two members of the public to that committee. Commission members can apply for this committee through the City Clerk,

said Mr. Steedle. They will first be addressing whether or not the existing ordinance is duplicative of federal and state law.

## XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

*Title 49 Committee*
Mr. Voelckers said that Ms. McKibben discussed with the committee that there are different classes of nonconforming land and that they discussed buildings and sites that are relatively clean. Nonconforming uses was a difficult item, especially how to ease out nonconforming uses that are not wanted. They will be reviewing language on this topic at their next meeting, said Mr. Voelckers.

*Juneau Commission on Sustainability*
Mr. LeVine said they will be sending a proposed ordinance dealing with livestock including pigs goats and bee's to the Title 49 committee for review.

*Lemon Creek Community Plan*
Mr. Voelckers reported that the Lemon Creek Community Plan is completed as a draft and circulated to the public for review and that it looks great. The Steering Committee meets again on August 7, (2017) to review those comments, he reported.

## XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

*Overlay District*
Mr. Dye asked if they were still meeting regarding the Overlay District or if that topic was finished for now.

He was informed that committee is no longer currently meeting.

## XV. ADJOURNMENT

***The meeting was adjourned at 8:34 p.m.***