

MINUTES

Planning Commission Special Meeting

CITY AND BOROUGH OF JUNEAU

A Joint Work Session of the Juneau Assembly and the Juneau Planning Commission

March 10, 2015

I. FLAG SALUTE

II. ROLL CALL

Merrill Sanford, Mayor, called the Special Meeting of the City and Borough of Juneau (CBJ) Assembly and Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:34 pm.

Assembly members present: Merrill Sanford, Mayor; Mary Becker, Debbie White, Jesse Kiehl, Karen Crane, Maria Gladziszewski, Jerry Nankervis, Loren Jones (telephonically)

Assembly members absent: Kate Troll

Commission members present: Mike Satre, Chairman; Dennis Watson, Vice Chairman; Bill Peters, Michael LeVine, Nicole Grewe, Gordon Jackson, Dan Miller, Paul Voelckers, (5:55 p.m.); Ben Haight, (6:36 p.m.)

Commission members absent:

Staff present: Kim Kiefer, City Manager; Amy Mead, City Attorney; Robert Palmer, Assistant Attorney II; Hal Hart, Planning Director; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner

III. PUBLIC PARTICPATION ON NON-AGENDA ITEMS – None

IV. INFORMATION ITEMS

- Joint Work Session of the Assembly and Planning Commission

Mayor Sanford said one purpose of this meeting was to make sure there were clear understandings on both the part of the Planning Commission and the Assembly, and that the channels of communication remain open and clear.

Subdivision Ordinance Update

The staff provided an update on the Subdivision Ordinance. Ms. Mead said the Planning Commission completed its review of the Subdivision Ordinance and forwarded it to the Law Department for its review. Because the Ordinance had been under review for such a long period of time, (since 2007) it had lost all connection to the current Code, said Ms. Mead. As a solution the Law Department has separated the substantive policy changes from the reorganizational piece, said Ms. Mead.

Ms. Mead said she is about two thirds of the way completed placing the substantive pieces into the current Code. They plan on submitting the Ordinance for review to the Planning Commission at its April 14, (2015) meeting, and it will subsequently be introduced to the Assembly at its April 27, (2015) meeting, said Ms. Mead.

Ms. Boyce explained that this Ordinance is a proposed change to Title 49 which addresses changes to the rules regarding subdivisions. Many of these pieces regarding the Code regarding subdivisions come from the 1960's, said Ms. Boyce. Many of the changes made since that time are piecemeal approaches and many are out of date, she said.

The initial idea was to combine all of the processes of the Code into one chapter so that it could be handed out to developers for clarity of the process, said Ms. Boyce. However, that consolidation of Code into one chapter will not happen at this time.

Proposed changes outlined by Ms. Boyce:

- ✓ A way to cancel applications
- ✓ A new public notice requirement for minor subdivisions to notify adjacent property owners that something will occur on the property next to them
- ✓ Solidify the construction plan and approval process
- ✓ Issue a notice of decision for minor subdivisions after review of the preliminary plat
- ✓ Change the threshold of minor subdivisions from one to four lots to 13 lots with Director in-house approval
- ✓ Change the threshold of major subdivisions from five or more lots to 14 lots or more with Planning Commission approval at both preliminary and final plat stage
- ✓ Presumption that if a major subdivision meets all the requirements of the zoning district that it can be approved
- ✓ Expansion of the parking section to cover more parking scenarios
- ✓ Common wall side setback clarification
- ✓ Expansion of right-of-way vacations so they are covered under Director approval in most instances
- ✓ Lot consolidations regardless of the number of lots affected would be reviewed as a minor subdivision
- ✓ Lot design requirements could be waived by either the Director or the Planning Commission for lots that would serve a public purpose such as a park
- ✓ Limits proposed to the lengths of panhandle lots
- ✓ Linkage of the street standard requirements to the trips generated by the development

- ✓ There are now certain instances where a right-of-way could be waived
- ✓ The Director could permit up to 13 lots allowing a gravel shared driveway as a right-of-way which would essentially be a private road, which would be a special permit the applicant would apply for with an agreement by all the property owners that the road would be maintained by them, not the City

There will be a handout compiled for potential developers listing all of the various places in the Code that would be relevant for their development, said Ms. Boyce. The process in Chapter 15 is being clarified to be easier for the users, said Ms. Boyce.

This will be brought to the Subdivision Review Committee next, said Ms. Boyce.

Assembly/Commission Comments and Questions

Mayor Sanford said he wanted to make it very clear that both the Planning Commission Chairman and himself wanted to see these changes accomplished in a timely fashion. He said they want to see this completed within the next couple of months.

Chairman Satre said he felt it was disappointing from his perspective and from that of some of the Commissioners that a final chapter could not be implemented within the Ordinance for the sake of reference for developers. He said the changes themselves recommended sound very good but that long-term they need to look at getting this into a single chapter.

Mr. Jones said that he would need more time to review the Ordinance before voting upon it. He said he has no understanding of what the content of the Ordinance is, and that he would caution becoming a slave to the calendar just in order to pass it.

Mr. Watson said he had discomfort with a pass-out document since a Word document rarely got changed. He said the language in the Ordinance had been simplified and was made much easier to understand by the public.

Mr. Kiehl said that he was going to need some help with the concept of right-of-ways and driveways. He said he felt some of the changes were more than streamlining, but significant policy shifts.

Mr. Miller said it is currently a very convoluted Code even for the staff which works with it every day. He said he felt the new Subdivision Ordinance would be extremely helpful for both the staff and the public.

Chairman Satre said he hoped the Assembly would look at the Subdivision Review Ordinance as a bigger policy call rather than looking at shifting specific numbers one way or another.

Mr. Voelckers said he felt that perhaps development has been stymied in the community somewhat and that hopefully this Ordinance would help alleviate that by reducing some of the practical, smaller, impediments to development.

Ms. Mead explained that currently when drafting policy changes staff begins that process with the Law Department rather than first drafting the policy and then coming to the Law Department for its review.

Ms. Grewe said as both a Planning Commissioner and as a planner she felt the Commission should be able to put words on paper without always having to consult the Department of Law first.

Ms. Mead said that the Law Department has no place in the policy decisions at all. She said they wanted to make sure that the actions of the bodies were legal, and that the Code has consistency, which is where they ran into problems with the Subdivision Ordinance.

Assembly/Commission Communication

Mayor Sanford said the Assembly understands and respects the role of the Planning Commission. Regarding the Planning Commission decision on North Douglas which the Assembly sent back; he felt the main concern of the Assembly on that issue was public notice. He said he felt it may be time to review that section of the Code and for it to be updated if needed.

Chairman Satre said he felt this was a an important issue to be considered but very difficult to be changed on an individual application level. He said in general the Commission fully understands that when an item goes to the Assembly that it can be appealed. When it comes to a zoning change said Chairman Satre, the Commission has made a recommendation. That zoning change can only be implemented through ordinance, and that is in the court of the Assembly, he said. It does not need to come back to the Commission, said Chairman Satre. The Assembly can reject the recommendation of the Commission, or it can make any change to that recommendation.

Mr. Kiehl said speaking for himself in the above instance, the goal was to keep the avenues of communication open between the Assembly and the Commission.

V. **ASSEMBLY/COMMISSION COMMENTS AND QUESTIONS** - None

VI. **ADJOURNMENT** The meeting was adjourned at 6:53 p.m.

Signed: _____

Laurie Sica, Municipal Clerk

Signed: _____

Merrill Sanford, Mayor