



REGULAR PLANNING COMMISSION AGENDA

February 25, 2025 at 6:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/85421744892> or 1-253-215-8782 Webinar ID: 854 2174 4892

A. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. January 23, 2024 Draft Minutes Regular Planning Commission
2. January 14, 2025 Draft Minutes Regular Planning Commission - APPROVED
3. January 28, 2025 Draft Minutes Regular Planning Commission - APPROVED

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR RECONSIDERATION

H. CONSENT AGENDA

4. **USE2024 0021**: Use of the building formerly known as Floyd Dryden Middle School as an education center offering Head Start, Tlingit language immersion, and after-school programs. - APPROVED AS RECOMMENDED

Applicant: Stephanie Banua C/O CCTHITA

Location: 3200 Mendenhall Loop Rd

DIRECTOR'S REPORT

The applicant proposes to use the building formerly known as Floyd Dryden Middle School as an educational center offering Head Start, Tlingit Language immersion, and after-school programs. The Juneau School District vacated the building in July of 2024. At the direction of the Assembly, CBJ Staff have been working with the applicant on lease terms for use of the facility.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0021 with the condition.

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

5. AME2025 0001: Proposed amendments to Title 49. - CONTINUED

Applicant: City and Borough of Juneau

Location: Borough-wide

DIRECTOR'S REPORT

The proposed ordinance amends the Title 49 Land Use Code Relating to Rules of Construction, Permits, Equivalent Use Determinations, Determination of Minor Versus Major Developments, Accessory Dwelling Units, Caretaker Units, and Transition Zones. Revisions are being considered under the accelerated program. Rather than approving code changes, the Assembly has asked the Commission to provide feedback by March 28, 2025. The Assembly will decide on approval.

STAFF RECOMMENDATION

Staff recommends that the Commission provide a recommendation to approve the code changes.

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

6. Additional Materials Packet

-Public Comment for AME25-01

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

January 23, 2024

I. LAND ACKNOWLEDGEMENT – Read by Chair Cole.

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7:01 p.m.

Commissioners present: Commissioners present in Chambers – None.

Commissioners present via video conferencing – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr

Commissioners absent: Matthew Bell, Assistant Clerk

Staff present: Jill Lawhorne, CDD Director; Jennifer Shields, Planner II; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Attorney III

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA- None.

IV. APPROVAL OF MINUTES- None.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION- by Chair Cole.

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**- None.

VII. **ITEMS FOR RECONSIDERATION**- None.

VIII. **CONSENT AGENDA**- None.

IX. **UNFINISHED BUSINESS**

X. **REGULAR AGENDA**

PWP2023 0004: Parking Waiver request for a 3,657 square foot Domino's Pizza Restaurant.
Applicant: R & S Construction
Location: Clinton Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive five (5) parking spaces for the proposed Domino’s Pizza restaurant with a drive-through window.

Applicant Presentation

Rob Worden from R&S Construction presented on behalf of Dominos. He explained that the lease for the building where Dominos in the Valley is currently located is about to expire. Instead of renewing the lease, Dominos has decided to construct a purpose-built structure in a Mixed-Use zoning district.

Questions from Commissioners

Mr. Pedersen noted that the originally submitted plans were for a larger building that required a parking waiver. A memo was submitted amending the size of the building to no longer require a parking waiver. He asked the applicant the reasoning behind the amended plans. Mr. Worden responded that CBJ parking requirements are based on gross square footage. Since this establishment will not have indoor seating for customers to eat on-site, the larger building wasn’t really needed.

Mr. Epstein asked if the site plan will be updated to show 8 or 9 spaces if the building and parking waiver get approved. Mr. Worden said no, that they will stick with the current layout for parking.

Chair Cole asked for public testimony.

Marina Lindsey (ph), resident, asked for clarification on the public waiver request, as the proposal is fewer than required parking spaces. She also asked if anyone looked into the growth plans for Dominos or if there would be a traffic analysis and if they would be addressing any sort of extra landscaping requirements since headlights will be pointing towards the condominiums. She also

noted that the dumpsters for the condos next door are not very bear proof and adding restaurant waste would be a big problem.

Chair Cole stated she also thought about the landscaping lighting issue as well in regard to the drive-through. She asked if a landscape plan that would obscure the lights or a fence would meet her need. Ms. Lindsey responded that landscaping or a fence done well would help and she would be appreciative of that.

Filliard Lewis (ph), resident, voiced that he did not know if a fence to obscure the headlights would make any difference, as the discharge of the drive-through points the cars directly at their building. He shared that this is out of character with the surrounding businesses, because most of that area is shut down by 6 or 7 p.m. He was concerned they would not have any sort of peace with traffic going through there. He noted the traffic analysis was based on traffic throughout the day, which is misleading.

Chair Cole brought back the applicant to provide any other information.

Mr. Worden expressed that he thought about those residents on this layout, which is why the parking lot is in the back. In regard to the drive-through location, that is due to the layout of the property. He added they eliminated going in and out of the building at a front door they will not see and kept it down to one-story to avoid wrecking views. He stressed that the condos across from the drive-through all have bedrooms in the back, so it should not disturb any sleeping.

Mr. Epstein stated that for a parking waiver, the applications must include plans prepared by a professional engineer or architect, and this only has a drawing that has been stamped by a professional land surveyor. He asked if there was any documentation that had been stamped and signed by a professional engineer or architect, and if the director had waived submission of any required exhibits. Mr. Worden responded that they will not have final drawings until they know what is going to be approved. Mr. Epstein also asked where the drive-through window will be located. Mr. Worden stated it will be on the side with a 23.68 foot dimension with the window centered on that. Mr. Epstein inquired where they could put a fence. Mr. Worden replied that he did not know and is not in favor of a fence.

Ms. Keller expressed that when looking at the renderings of the building, on one side it says tenant sign. She asked if the building was going to be used by someone else aside from Dominos. Mr. Worden answered right now Dominos is the owner, but did not know if the client will change it or add something in the future. Ms. Keller stated it would be nice to know that.

Chair Cole commented that the building is proposed at a little less than 3,000 feet and only Dominos, and she assumed the tenant drawing rendering was something associated with the larger building, but now that it is the smaller building, there is nothing but room for one Dominos. She asked Mr. Worden if that was his understanding as well. Mr. Worden said he was not 100% on that, as he is unaware of what they will do in the future. Director Lawhorne added that her recommendation for approvals does not include anything else except Dominos and its associated parking and drive-through.

Chair Cole asked for questions for staff.

Mr. Arndt inquired why under Item 1 in the memo it says the building footprint decreases the total number of offset street parking spaces required from 18 to 14, but under number 2 it says 13 parking spaces meet the required minimum, including 1 ADA accessible space. Director Lawhorne responded that her understanding was that due to the decrease in the size of the building, the required spaces went from 18 to 14, and they are provided 13 total, including the ADA space, so they still need a parking waiver for one space.

Mr. Epstein asked Director Lawhorne if she foresaw waiving submission of any required exhibits. Director Lawhorne admitted that she missed that part about the architect or engineer, because they had the site plans drawn accurately by a surveyor and she believed it addressed most of the items, so she was comfortable with it as submitted, but if the Commission wanted it submitted by an engineer or architect, that could be a condition of approval. Mr. Epstein voiced he would want to see landscaping, lighting, and sign details to address public concerns.

Ms. Keller expressed that it is not clear if they plan on having a tenant and she is not sure if going from 3,600 to 2,900 square feet means there is no room for a tenant or not, and she does not like not knowing that. She added that may come into play with the parking spaces and how they will be used if there is a tenant. Chair Cole asked Director Lawhorne to clarify what happens if a conditional use permit is approved and something changes, including a tenant, on that building. Director Lawhorne clarified that they have been told since the application came in that it would be a Dominos, and it is in the Commission's authority to state that it must be Dominos and not any other uses combined with it without the applicant seeking a modification to the conditional use permit. She also noted that they need to be clear on what they are approving this evening.

Mr. Arndt asked if will be required to have the site plan stamped by an engineer for the building permit process even though the site plan is stamped by a land surveyor right now. Director Lawhorne responded that is correct.

Mr. Epstein shared that recommendation item 3 states that prior to the issuance of a building permit, the applicant can submit a revised site plan that meets the parking design and circulation requirements, so they will get to where they need to be one way or another.

Mr. Brown inquired if there had been any other buildings in the area that had concerns about the headlights. Director Lawhorne responded that the only thing recent she could think of was the new search building and she did not recall that being an issue, but it did not face the condos. Mr. Brown expressed he was not personally overly concerned with the headlight issue.

Ms. Rintala asked if the amount of parking they are requiring is based on an undifferentiated restaurant use in Juneau. Director Lawhorne expressed it is not specific to Dominos.

Director Lawhorne clarified she is not sure why the applicant's request was still asking to waive the five parking spaces, even though they only needed one.

Attorney Layne stated even though they may still be requesting five spaces, the Commission can

still say they are only going to waive one.

MOTION: *by Mr. Pedersen to accept staff’s findings, analysis, and recommendations, and approve PWP2023 0004 parking waiver for 11 regulars spots and one handicap space.*

Mr. Arndt supported the motion and agreed the other space was odd and in the way for the traffic circulation.

Ms. Rintala found it compelling that per Juneau’s regulation, they are asking this restaurant not meet the same parking standards as a sit-down restaurant, and it does seem reasonable for the Commission to be a little flexible with the requirements of this restaurant versus a sit-down restaurant, so she is in support of the motion.

Chair Cole clarified they are waiving two parking spaces, meaning there will be 12 on site, with two parking spots waived of the required 14.

The motion passed with no objection.

- USE2023 0018:** Conditional Use Permit request for a 3,657 square foot Domino's Pizza Restaurant.
- Applicant:** R & S Construction
- Location:** Clinton Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director’s analysis and findings and APPROVE WITH CONDITIONS the Conditional Use Permit.

Questions from Commissioners

Ms. Keller shared that since they do not know for sure on a tenant, she proposed using Director Lawhorne’s earlier suggestion to include in the conditions to say that the use for a Domino’s only and any other further uses in the future will have to come in for modification.

MOTION: *by Mr. Arndt to accept staff’s findings, analysis, and recommendations, and approve USE2023 0018 and propose modifying conditions to strike number 2 and number 5.*

Mr. Arndt was in support of the location, as it is a light commercial area, and he left out Ms. Keller recommendation, because it states that the permit allows for a Domino’s Pizza Restaurant and a drive-through window, so that should already be taken care of. He added that he did not see them solving the issues and comments from the public with the landscaping plan and the fence, and the applicant pointed out that the bedrooms on are on the back side of the units.

Ms. Keller explained the reason she brought up adding the potential modification for use was because of the rendering and the applicant’s mention of a potential render.

Mr. Pedersen supported the motion.

Mr. Epstein proposed an amendment to add that prior to the issuance of a building permit, the applicant shall submit a revised site plan to meet parking design and circulation requirements to resolve the concerns about the engineer plan and the six sub-items.

Chair Cole clarified they have a motion with four conditions, with Conditions 2 and 5 deleted, and an amendment to add a fifth condition that mirrors Condition 3 in the original packet.

Mr. Arndt spoke against the amendment, as they are trying to delete extra conditions and it will automatically be satisfied.

Mr. Epstein thanked Mr. Arndt for his comments, and asked the director why Condition 3 was included in the first place. Director Lawhorne shared she made an oversight. Mr. Epstein chose to proceed with a vote.

The amendment failed 3-5.

Director Lawhorne noted that in regard to Condition 5 on the wheel stops, that spaces two, three, and four do not appear to back up to anything except an adjacent parking area, and staff believed wheel stops could be required.

Ms. Keller proposed an amendment to add the wheel stop condition back to keep people from driving through.

Chair Cole clarified that Ms. Keller proposed an amendment to add Condition 5 back, stating wheel stops shall be placed in front of parking space that do not front a curb.

The amendment failed 4-4.

The motion passed with no objection.

XI. OTHER BUSINESS

Chair Cole discussed the ADU Draft Ordinance language. She explained they went over it several times in the Title 49 Committee, and they wanted to see if there were any substantive changes that the whole Commission want to make. She noted that the ordinance still has to go to law and come back to them in the end.

Director Lawhorne expressed that the intent is that once they have the draft ordinance from the law department, they will schedule a public hearing for the Planning Commission to hear public testimony on it. She asked that they reconsider requiring a conditional use permit, as not a single accessory apartment has been denied even if they did not have the required parking, and staff rarely receives complaints on parking. She also pointed out that a building permit for an accessory apartment can take two to three weeks if all paperwork and materials are fully completed, whereas if you apply for a conditional use permit, the minimum is three months to get it before the Planning Commission. Director

Lawhorne also mentioned that in the past they would do tract changes, but that gets difficult to follow at times, so now they are underlining new language and striking through any language they are getting rid of. She noted she was asked to combine the definitions for B and C for accessory dwelling units, but they are very similar and could not find a way to define them better than they are.

Chair Cole asked for discussion on whether or not ADU applications need to come before the Planning Commission for conditional use or before the director instead.

Mr. Epstein asked what leeway the director would have in receiving an application for an accessory dwelling if the Commission decides to do away with the requirement for a condition use permit. Director Lawhorne stated that usually she has an escape clause to the Commission if the application triggered the same review that a conditional use should have but squeaks through, but those are rare and involved phasing. She could not envision a scenario where that would occur with an accessory dwelling unit. She added that if the Planning Commission disagrees with her response on an ADU, there would be an appeal.

Mr. Arndt agreed with what the director stated and was in favor of deleting the things they always say yes on, as it is a waste of everyone's time, but in this case, it may be good to keep it for a little while because they were increasing the square footage. In regards to someone appealing it or abutting it, he did not know if a neighbor or abutter would know the person got the permit until they started construction or after the fact, which would be outside of the appeal date. Director Lawhorne stood by what she initially stated.

Chair Cole added that it was on her mind to take care with ADU's because of some of the issues that short term rentals are causing for them in terms of housing, and so getting a cup might be important to help to understand conformity with the neighborhood and the use.

Mr. Arndt suggested leaving it in there for now to give everyone time to think about it as it goes to law, and they can easily strike it when it comes back for public hearing, because if it gets deleted tonight, it would be harder to add it back in later.

Chair Cole voiced they will leave it in tonight, and have arguments on it later.

Chair Cole discussed the proposed definitions for ADU regarding option B and C. She explained they wanted to combine the sentence that provides basic requirements for living, sleeping, cooking, and sanitation, and the sentence stating the dwelling unit ADU is accessory to and smaller than the primary dwelling unit. She noted the reason for that is they did not want them to mirror each other but wanted to keep them accessory. She suggested adding the basic requirements for living, sleeping, cooking, and sanitation to Option C.

Mr. Arndt agreed, but added that they also got rid of “is smaller than”. He discussed the deletion of the efficiency one bedroom, two bedroom comments and leaving it as square footage. He noted it was taken care of on lines 170 and 125, 126, but they need to deal with it on line 67, 93, 100, and 134. He also shared they were struggling with the title on line 144, because in multifamily zoning districts it does not apply to the multifamily building, and only single family residence. He was concerned about the first sentence under G, “Multifamily dwelling and accessory dwelling unit approval”. Director Lawhorne requested the easy fix is to say a single family unit in a multifamily zoning district.

XII. STAFF REPORTS

Director Lawhorne voiced that there are no cases scheduled and they will not have any work ready for the February 13th Planning Commission Meeting, so they have proposed to cancel that. The Commission agreed. She announced that the Legislative Breakfast is this Thursday, and they will discuss legislative priorities. The Assembly Retreat took up the land use code and asked what it would take to do a rewrite, and there have been internal meetings and meetings with the Chamber of Commerce’s Housing Committee, and right now they are looking at a new approach, which will split a full rewrite into two phases. She added she is working on a draft memo to the manager this week, and will have it ready by Thursday for the Assembly to discuss it on January 29th. She shared that they are losing two planners. She expressed that the building permit numbers are up, single family housing unit permits were down by a few, commercial development is up, and they are at two to three weeks for building permits.

XIII. COMMITTEE REPORTS/ASSIGNMENTS

The Title 49 Committee will consist of Mr. Arndt, as Chair, and Mr. Brown, Ms. Derr, and Ms. Rintala as Committee Members. On the Governance Committee, Mr. Pedersen will remain as Chair, and Ms. Cole and Ms. Keller will be Committee Members. Mr. Arndt noted it is nice if everyone shows up to the Title 49 Committee Meetings, even if they are not on the Committee. Ms. Keller agreed to remain on JCOS if it is still available. Mr. Epstein agreed to do the Public Works Committee, and Mr. Bell was placed on the Lands Committee.

Director Lawhorne shared that Mr. Chamborra (ph) will cover for her in February while she will be traveling, and he will give a full update on long-range planning and the housing program.

XIV. LIAISON REPORTS

Assembly Member Kelly reported that the Full Assembly has not met since the last Commission Meeting. He expressed they had the Legislative Welcome on January 16th, which went well. He shared that they will be having a Legislative Work Session with their delegation on Thursday, at 7 a.m., weather permitting, in the Assembly Chambers. He

voiced that the Assembly Members individually ranked all priorities that were submitted. It will not be finalized until next Monday, but they will show it to the delegation Thursday.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION- None.

XVIII. ADJOURNMENT

The January 23, 2024 Planning Commission Meeting was adjourned at 9:00 p.m.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

January 14, 2025

I. LAND ACKNOWLEDGEMENT – Read by Ms. Derr.

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 6 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Clerk; Matthew Bell, Assistant Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr, Douglas Salik

Commissioners present via video conferencing – None.

Commissioners absent:

Staff present: Jill Lawhorne, CDD Director; Daniele Gaucher, CDD Administrative Officer; Nicolette Chappell, CDD Administrative Coordinator; Madeline Carse, CDD Administrative Assistant; Sherri Layne, Attorney III

Assembly members: Christine Woll

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

Mr. Pedersen added Item 3 under Other Business for assignments and officer positions.

IV. APPROVAL OF MINUTES

None.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. ITEMS FOR RECONSIDERATION

VIII. CONSENT AGENDA

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

XI. OTHER BUSINESS

1. Confirm Regular Meeting Start Times for Summer and Winter Seasons
2. Amend Rules of Order to adopt new start times

Chair Cole asked the commissioners for guidance on what month they want to start the 7 p.m. start time for the summer season.

Mr. Brown suggested May through September, but was open to do April through October.

The Commission decided on a 6 p.m. start time for January through April, 7 p.m. start time May through September, and a 6 p.m. start time again October through December.

MOTION: by Mr. Pedersen to approve the Planning Commission Meetings conducted in May, June, July, August, and September start at 7 p.m., with the remainder of the meetings over the course of the year starting at 6 p.m.

The motion passed with no objection.

3. Other Business and Officer Positions

Chair Cole stated that she and Mr. Pedersen were fine to continue chairing and vice-chairing, and Mr. Bell would be the clerk, and Mr. Brown would be assistant-clerk. She explained that the clerk's role is to chair the meeting if she and Mr. Pedersen are out and be responsible for the minutes, and the assistant clerk would then step in if the clerk was also absent.

Mr. Bell and Mr. Brown accepted the roles of clerk and assistant clerk.

Chair Cole went over the committee assignments. Mr. Epstein accepted continuing to be the liaison for Public Works and Facilities. Ms. Keller agreed to maintain the assignment of JCOS. Mr. Pedersen will remain on the Douglas West Juneau Area Plan Committee. Mr. Bell agreed to give his previous assignment of Lands Committee to Ms. Derr. Mr. Pederson agreed to give up the position of chairing Governance to Ms. Rintala. Mr. Pedersen accepted continuing to be the liaison for the Short Term Rentals Task Force. Chair Cole agreed to continue her role as representative to the Title 49 Advisory Board.

Director Lawhorne encouraged all liaisons to check their email once a week for reminders.

XII. STAFF REPORTS

Director Lawhorne noted a member resigned on the West Douglas South Juneau Area Plan, but believes someone will be appointed quickly at the next meeting, and they are trying to wrap up the area plan this spring. She gave some announcements, including a new hire, that the permit software is still on track with the end goal of December 2025, and vacancies at the Planner II and Senior Planner positions. She shared that her plan is to have two certified floodplain managers on staff, one being the senior planner and the other a planner II. She added that her hope is she, as the planning manager, the permit center manager, and building official will have basic flood training so they can serve as backup. She added that the planning staff also would be trained on processing the easier flood plain permits. Director Lawhorne expressed that the Comp Plan is under contract and her hope is to have the managers and other staff with her on January 28th to meet and talk about different aspects of the department. She explained the contract goal for the Comp Plan process is completed, adopted, and sent to Assembly in under three years. She noted that her staff has been in direct contact with FEMA staff and they are working with them closely, and are not in danger of losing compliance if they keep doing what they have been doing. Director Lawhorne voiced that she believes 2025 will bring a lot of change and that 2025 and 2026 are going to be CDD's year.

Mr. Epstein asked who the consultant was for the Comp Plan.

Director Lawhorne answered Cascadia Partners out of Oregon, who are partnering with Corvus, DOWL, and SALT as subconsultants.

Chair Cole said they will discuss housing at the next meeting and will frame the discussion in what the lane is for the Planning Commission and other city departments. She noted it is a confusing process for the public, so the more they can spell it out the better.

Ms. Layne stated that the cheat sheet on motions will be moved to the front so that it is easier. She expressed that the people at the law department are available for the benefit of their new commissioner if there are any questions about anything, especially conflict of interest. She said at some point they will do a refresher training on conflict of interest and the Open Meetings Act, even though the Planning Commission is one of the most well run commission/board in Juneau and very rarely have any issues with OMA or conflicts.

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORTS

Ms. Woll highlighted that at the last Assembly Meeting they took action on a lot of things the Planning Commission had been working on, and passed most of the city initiated rezone requests, and approved the Blueprint Downtown Plan as an ordinance. She said they also approved two loans to private developers out of the Affordable Housing Fund, including \$3 million to an apartment complex project in the Valley and \$1 million to renovate the Gross Alaska Theatre downtown into an apartment building. She voiced that they approved the City's Legislative Capital Proprieties Ranking, with the top five being glacial outburst flood response, Juneau Douglas North Crossing, Mendenhall Wastewater Treatment Plant Compliance, Telephone Hill Redevelopment, and Pederson Hill Housing Development. She noted that looking forward they will continue to be focused on flooding, including preparation for next season and mitigation efforts.

Chair Cole asked if the rezone for Fish Creek application passed.

Ms. Woll answered no, that it was not moved forward to the body, as a result of failing at the Planning Commission level.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Epstein asked if there was an update on the Planning Commissioner 101 training .

Director Lawhorne answered she did not know, and did not believe that was the APA's course, but she will doublecheck on that.

Mr. Epstein commented that he will be gone the week of the 27th of January and will need help with the Public Works and Facilities Committee.

Mr. Salik introduced himself.

XVII. EXECUTIVE SESSION

XVIII. ADJOURNMENT

The January 14, 2025 Planning Commission Meeting was adjourned at 6:41 p.m.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

January 28, 2025

I. LAND ACKNOWLEDGEMENT – Read by Ms. Rintala.

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Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Matthew Bell, Assistant Clerk; Adam Brown, Nina Keller, Jessalynn Rintala, Lacey Derr, Douglas Salik

Commissioners present via video conferencing – None

Commissioners absent: David Epstein

Staff present: Jill Lawhorne, CDD Director; Irene Gallion, CDD Senior Planner; Daniele Gaucher, CDD Administrative Officer; Madeline Carse, CDD Administrative Assistant; Sherri Layne, Attorney III; Jeffery Hedges, Building Official; Jason Larson, CDD Permit Center Manager; Scott Ciambor, CDD Planning Manager; Ilsa Lund, CDD Planner I

Assembly members: None present

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

Mr. Pedersen moved to strike the first item under Other Business, Downtown Douglas West Juneau Area Plan and Steering Committee Appointment, as they do not have anyone to appoint.

IV. APPROVAL OF MINUTES

1. August 13, 2024, Draft Minutes Regular Planning Commission
2. November 12, 2024, Draft Minutes Regular Planning Commission
3. December 10, 2024, Draft Minutes Regular Planning Commission

MOTION: *by Ms. Derr to approve the August 13, 2024; November 12, 2024; December 10, 2024, Planning Commission Regular Meeting minutes.*

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. ITEMS FOR RECONSIDERATION

VIII. CONSENT AGENDA

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

XI. OTHER BUSINESS

4. Downtown Douglas/West Juneau (DD/WJ) Area Plan Steering Committee Appointment
5. Community Development Department Presentation & Overview

Director Lawhorne gave a quick overview of the Community Development Department.

Scott Ciambor, Planning Manager, stated they have a great staff right now and are taking on a lot of great projects. He gave descriptions and duties of the Short-term and Long-term Planning teams. He noted that they are under contract for the Comprehensive Plan and the internal kickoff meeting is scheduled for tomorrow. He talked about the Housing Program and the Community Development Grant Programs, including the Community Development Block Grant, Juneau Coordinated Transportation Grant, and a Certified Local Government Grant, and briefly discussed flood. He expressed that they are looking for two positions right now in regard to staffing and are

working on improving their systems in terms of training. He noted that the Downtown Douglas West Juneau Plan is going great. He discussed the Housing Action Plan and current activities, which include the Comprehensive Plan, Juneau Affordable Housing Fund, Title 49 Rewrite, CBJ Lands Division Rezone Initiative, Telephone Hill Property Management and Redevelopment Master Plan, Pederson Hill Development, Tyler Tech Permitting Software and Questica Budget Software, and Short-Term Rental Taskforce. He also explained how area median income works in regard to housing.

Chair Cole noted that she asked Mr. Ciambor to talk about area median income and affordable housing because they had questions on that in the fall, as people tend to confuse the term affordable housing, that has a specific meaning with HUD, as just inexpensive or low cost housing.

Mr. Ciambor added that both affordable and workforce housing are eligible for the Housing Fund. He noted that currently there is not any language in the Land Use code on policies and strategies that could be added to the code to have the affordability component to be part of it.

Jeff Hedges, Building Code Official, explained that their role is doing the plan review that covers every aspect of the building and then do the inspections. He noted that the most important part of their job is to educate, and they are currently working on a code update for Title 19. He stated that Department of Labor is adopting the 2023 National Electrical Code and the 2024 Uniform Plumbing Code, and have been working on getting local and state modifications incorporated in.

Director Lawhorne went over the administration division staff. She discussed the GIS Team, which have been analyzing changes in the imagery in the Mendenhall River due to Glacial Outburst Floods, ensuring data for E911 services is up-to-date and accurate, converting CBJ Water Division data from paper maps to digital, updating Wastewater Division data, and completing map requests and collecting data for other CBJ departments. The administrative team prepares and manages budget, training, meeting coordination, provides public support, staffs the Planning Commission and other committees, and assists with overall organization and implementation of CDD initiatives.

Jason Larson, Permit Center Manager, spoke about the CBJ Permit Center Hub. They process permits and inspections for CBJ and service CDD, EPW, CCFR, P&R, JPD, state and federal agencies, and the general public. He stated that the PCH staff is made up of four people. He noted that the planners do a great job of answering the planner on-call questions. He discussed what they are doing right now and the three goals they have set for this year, which include providing outstanding customer service, improving processes, creating policies and procedures, and establishing roles for natural disaster events.

Chair Cole thanked the CDD staff for their presentation.

6. Planning Commission Important Topics & Training

Sherry Layne, Attorney, presented on the Planning Commission important topics and training. She went over the Open Meetings Act and best practices. Planning Commission best practices include minimizing private discussions, no group messages about meeting topics, no texting more than two other members at a time, avoiding reply all in emails, and reasonable notice of meeting. She added that if someone violates the Open Meetings Act, they can cure it by bringing whatever they did to the public within six months.

Ms. Rintala asked if she could have a one on one conversation with any other member of the Commission on issues brought in front of the Planning Commission or would they need to disclose that at the meeting where they discuss the issue.

Ms. Layne answered that they are allowed to talk to two others but the key is to not play telephone and talk to somebody else about that topic.

Mr. Pedersen asked for confirmation that he could talk to one commissioner about a certain matter, but then talk to two other commissioners on a completely separate agenda item.

Ms. Layne confirmed that is okay.

Ms. Layne then went on to talk about conflict of interest, and stated that they are prohibited from taking action, discussing, or being a part of something that they will have a personal or financial interest in. She recommended completely stepping down if there is any conflict of interest, as they would not be able to vote or be a part of the discussion. She added that if a commissioner gets advice from an attorney that says there is no conflict and the commissioner acts on that advice, they are covered if someone files anything against them regarding that.

Chair Cole added that it is important to check in advance with Attorney Layne if there is a question. She expressed that if a commissioner is associated with something but do not think there is a conflict, the Chair can ask the commissioners and public of their opinion, and if no one says anything, the commissioner can stay up there.

Ms. Layne voiced that appearance of conflict is sometimes also important to think about.

Mr. Pedersen asked what the proper procedure, timing, and verbiage would be for someone to disclose a potential conflict of interest in a meeting.

Ms. Layne responded that it is best to declare it right before the item that the conflict is for and state a general reason for the conflict.

Mr. Bell asked what happens if a conflict is declared, but they do not have the necessary amount of votes to proceed on an item.

Ms. Layne reiterated that if someone has a conflict, they cannot participate, because they do not want a member of the public or applicant who is watching to appeal that. She added that is also

why it is important to let Chair Cole or the law department know beforehand so they do not get to that point in the meeting and an applicant cannot have their item go forward.

Chair Cole asked if it reduces the quorum threshold if someone is recused.

Ms. Layne answered it depends. She explained that in the CBJ code, they can reduce the number of people you need to move an action forward by one for every two people that are recused as long as they stay at the meeting.

XII. STAFF REPORTS

Director Lawhorne updated that the senior planner position closed last Friday, and they have two candidates to interview this week. The recently vacated Planner I and II position closed and they have six candidates so far, but have not reviewed those yet. She added that they continue to work closely with Commerce and Economic Development, FEMA, and Department of Natural Resources, and are still working on permitting the HESCO Barrier Project. There is a meeting on the Hazard Mitigation Plan Update tomorrow, and the public meeting for that will be happening soon. She noted there was a Committee of the Whole last night and a Lands Meeting. They discussed Eagle Crest, and Title 49 Rewrite Phase I, Wave I, which went smoothly through the Committee of the Whole last night. It is scheduled for introduction at the Assembly on February 3rd, and it will then start a 60-day clock for the Commission to comment on the draft. Director Lawhorne stated they are aiming to have the rewrite public hearing before this Commission on February 25th.

Chair Cole asked if the meeting with the Comp Plan contractor tomorrow will yield a process document.

Director Lawhorne answered somewhat. She said it is the first internal meeting, and they are trying to figure out the process. She voiced that they are looking to move through it quite expeditiously, but she is not sure what all the meeting will entail. She noted there will be an advisory committee created and they are aiming to have an internal team of CBJ staff of decision makers to have input into the process.

Chair Cole inquired if there is anything preventing her from saying they are reestablishing the Title 49 Committee that has no current meeting schedule yet, and to appoint herself as the chair for now until they figure it out if they need it.

Ms. Layne stated yes, and that they could also do a Committee of the Whole at various times if they wanted to or re-establish it and the Chair could appoint people to it.

XIII. COMMITTEE REPORTS

Ms. Derr gave an update for the Lands, Housing & Economic Development Committee. She said they met yesterday. She stated that Public Works and Facilities put out a solicitation for proposals in the Summer of 2024 for the use of Floyd Dryden and ranked those solicitations as they came in, with Tlingit & Haida Early Education coming in at number one. She said they are looking to lease up to two-thirds of Floyd Dryden. The number two applicant was UAS, for their educational program to lease the remaining one-third. There is a daycare currently in there with an emergency order that will expire in March. She said Lands moved it forward for the Assembly with a recommendation to work directly with lease holders. Ms. Derr expressed that the other item was the Juneau Animal Rescue, who are looking at a piece of property close to the Southeast Alaska Foodbank, but they do not want to move forward with more planning until they know if CBJ is interested in leasing the land. The Committee recommended support for the Assembly to lease the property to Juneau Animal Rescue, and they will discuss it at the next Committee of the Whole.

XIV. LIAISON REPORTS

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Derr noted for everyone to do their taxes and public reporting.

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

XVIII. ADJOURNMENT

The January 28, 2025 Planning Commission Meeting was adjourned at 7:22 p.m.



PLANNING COMMISSION STAFF
CONDITIONAL USE PERMIT USE2024 0021
HEARING DATE: FEBRUARY 25, 2025

(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

DATE: February 11, 2025
TO: Mandy Cole, Chair, Planning Commission
BY: Ilsa Lund, Planner I *Ilsa Lund*
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Use of the building formerly known as Floyd Dryden Middle School as an education center offering Head Start, Tlingit language immersion, and after-school programs.

STAFF RECOMMENDATION: Approval with condition

KEY CONSIDERATIONS FOR REVIEW:

- Early childhood education will be the primary focus with additional after-school programs and tutoring services offered.
- The 2013 Comprehensive Plan highlights the need to ensure an adequate supply of affordable, quality childcare.
- At the direction of the Assembly, CBJ is currently negotiating lease terms for use of this City-owned facility with the applicant.

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.40.215(a)
 - 49.65.1120
 - 49.80

GENERAL INFORMATION	
Property Owner	City and Borough of Juneau
Applicant	Stephanie Banua C/O CCTHITA
Property Address	3200 Mendenhall Loop Rd
Legal Description	USS 2084 LT 1A
Parcel Number	5B2401000020
Zoning	D5
Land Use Designation	RS- CBJ Recreational Service Park
Lot Size	661,240.8 sq. ft./ 15.18 acres
Water/Sewer	CBJ/ CBJ
Access	Mendenhall Loop Road
Existing Land Use	Emergency Childcare Center after 2024 Mendenhall River Flood Event
Associated Applications	BLD2025 0002

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (D5)	Adair-Kennedy Memorial Park
East (D5)	Residential
West (D5)	Mendenhall Loop Road Right-of-Way

SITE FEATURES	
Anadromous	None
Flood Zone	Yes*- Zone AE
Hazard	None mapped
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District, Urban/ Rural Mining District

*The structure and courtyard are not located within the flood zone.

BACKGROUND INFORMATION

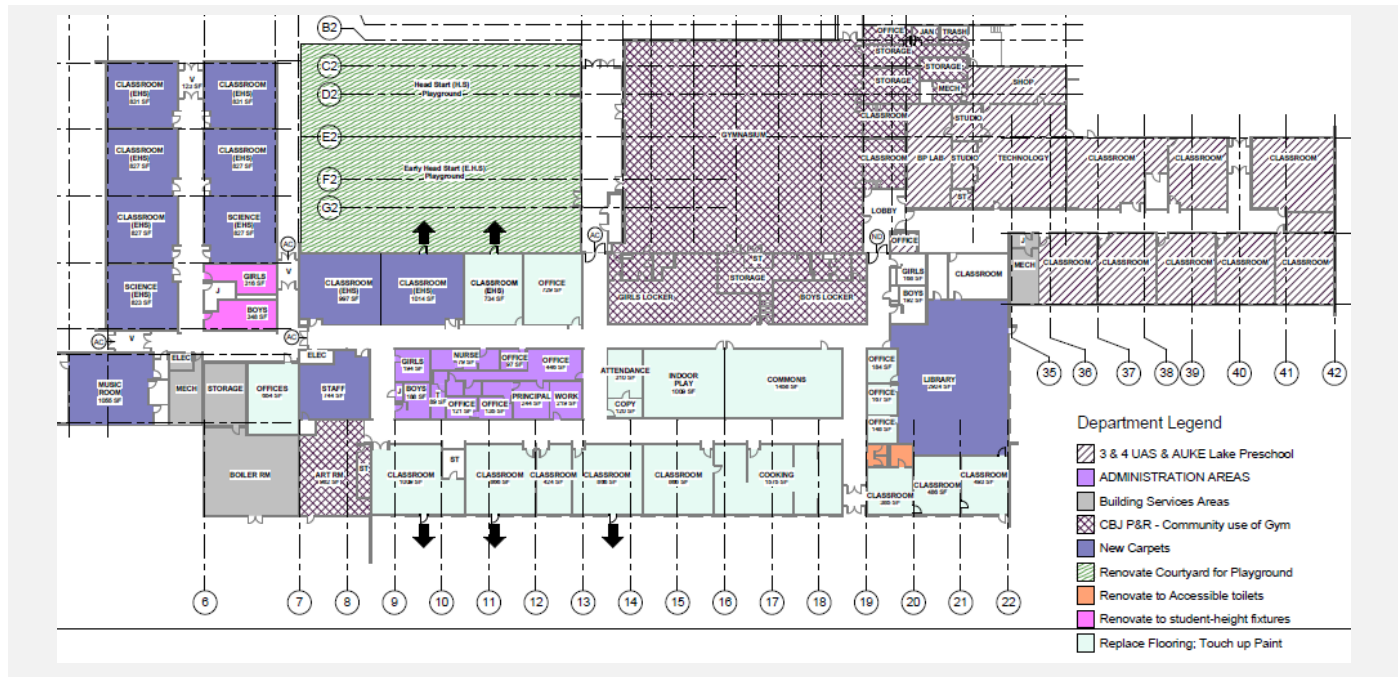
Project Description – The applicant, Central Council of the Tlingit & Haida Indian Tribes of Alaska (CCTHITA), has applied for a Conditional Use Permit (CUP) to convert the building formerly used as a middle school to an educational center (**Attachment A**). The primary focus will be on early childhood education for children from birth to five (5) years old with an anticipated enrollment of 112 children according to the narrative included in the application. During public meetings, representatives from CCTHITA have indicated that the facility could accommodate up to 140 children. After-school and tutoring programs will also be offered for children in grades K-12.

Date	Item	Summary
1963	Plat	Plat of USS 2084, creating Lot 1A (Attachment B) .
1967	CUP	Approved site plan for new middle and senior high school (Attachment C) .
1984	City Project	Notice of Decision (NOD) and supporting materials for approval to place a modular structure on site to use as the Special Education classroom (Attachment D) . A term of three (3) years was set, but during subsequent requests to extend placement of the two additional modular structures, JSD claimed that this specific modular structure was “grandfathered in.”
1990	CUP	NOD approval for extension of existing modular structure and placement of an additional modular structure to be used as classrooms for three (3) years (Attachment E) .
1991	CUP	CUP to place additional modular structure on site (Attachment F) .
1992	CUP	NOD of approval for CU-23-92 for an extension of placement of modular structures for three (3) years (Attachment G) .
1993	CUP	NOD of approval for CU-21-93 for an extension of placement of modular structures for three (3) years (Attachment H) .
1995	CUP	NOD of approval for CU-44-95 for an extension of placement of modular structures for three (3) years (Attachment I) .
1998	CUP	NOD of approval for USE98-00056 for an extension of placement of modular structures for three (3) years (Attachment J) .
2001	CUP	NOD of approval for USE2001-00037 for the modular structures to remain on site with no sunset date (Attachment K) .

ZONING REQUIREMENTS

Standard		Requirement	Existing	Code Reference
Lot	Size	7,000 sq. ft.	1,471,457 sq. ft.	CBJ 49.25.400
	Width	70 ft.	430 ft.	CBJ 49.25.400
Setbacks	Front	25 ft.	~254 ft.	CBJ 49.25.400
	Rear	20 ft.	~158 ft.	CBJ 49.25.400
	Side (NE)	5 ft.	~172 ft.	CBJ 49.25.400
	Side (SW)	5 ft.	~13 ft.	CBJ 49.25.400
Lot Coverage Maximum		50%	~5%	CBJ 49.25.400
Vegetative Cover Minimum		20%	~23%	CBJ 49.50.300
Height	Permissible	35 ft.	>35 ft.	CBJ 49.25.400
	Accessory	25 ft.	>25 ft.	CBJ 49.25.400
Maximum Dwelling Units (5/Acre)		N/A	0	CBJ 49.25.500
Use		Residential	Educational	CBJ 49.25.300

SITE PLAN



ANALYSIS

Project Site – The applicant proposes to lease the facility formerly known as Floyd Dryden Middle School located in the Mendenhall Valley adjacent to Adair Kennedy Memorial Park and accessible from Mendenhall Loop Road.

The sign at the intersection of Mendenhall Loop Road and the Floyd Dryden campus was not permitted and, in accordance with CBJ 49.45.270(d), is not permissible. The code prohibits signs with any light component that is moving, flashing, or otherwise animated except for time and temperature displays.

Condition: Signs are regulated under CBJ 49.45. A separate permit is required for most signs. Contact the Community Development Department for more information prior to designing, purchasing, or installing exterior signs.

Project Design –Because the structure was previously used as a school, minimal changes are proposed for the interior. The applicant has already applied for a building permit (BLD2025-0002) to adjust the height of fixtures in the bathrooms to accommodate young student. Other interior renovations include replacing carpeting and flooring. The only exterior modification proposed is the addition of two playgrounds in the area that is currently a courtyard.

Condition: None.

Traffic – Traffic for this proposed use is expected to be less onerous than the previous use. Enrollment at Floyd Dryden Middle School peaked in the late 1990s with more than 700 students and declined to approximately 360 students before closing in 2024. Due to the strict teacher to student ratio imposed for some of the proposed programs offered by the applicant, the facility will not be able to accommodate that many students (**Attachment L**). Enrollment is expected to increase slightly as the applicant is able to train and onboard new staff members.

In 2019, Alaska Department of Transportation installed a roundabout at the entrance of the Floyd Dryden campus as a traffic calming and safety measure (**Attachment M**).

Use	Number of Students	Trips Generated	Total Trips
Day Care Center	112	425	425
Total ADTs:			425

Condition: None.

Vehicle Parking & Circulation – Childcare centers have special parking provisions under Chapter 65. CBJ 49.65.1120(a)(3) mandates that for each on-shift employee, one (1) off-street parking space shall be provided and an additional one (1) space per 10 children served. At this time, the applicant anticipates an enrollment of 140 students. Depending on the program offered in each classroom with 140 students, anywhere from 14-46 teachers would be required based on federal regulations (**Attachment L**). Based on the site plan provided by the applicant, nine (9) classrooms will be used for the Early Head Start (EHS), which has the lowest student to teacher ratio. Twenty-seven (27) teachers would be required if each of the nine (9) EHS classrooms are at maximum capacity.

There are currently 115 parking spaces with an additional seven (7) ADA parking spaces for a total of 122 parking spaces.

In accordance with CBJ 49.40.210(a), 65 parking spaces are required for the community-use gym managed by the CBJ Parks and Recreation Department. Operating hours of the applicant’s proposed use and use of the community gym are not anticipated to pose a substantial conflict.

Use	Unit	Spaces Required	Total Spaces
Childcare center, students	1 per 10 children	14	14
Childcare center, employees	1 per employee	46 (maximum)	46
Total Parking Requirement:			60
Off-Street Loading Spaces Required:			1 for every 2 buses
ADA Accessible Spaces Required:			3

Condition: None.

Noise – Noise associated with the proposed development is not expected to be out of character with the previous use of the structure.

Condition: None.

Lighting - The applicant is not proposing any new lighting at this time.

Condition: None.

Vegetative Cover & Landscaping – The applicant is not proposing to make changes to the vegetative cover or landscaping.

Condition: None.

Habitat - No anadromous streams or wetlands are on the property. No natural resources are mapped on the site in the 2013 Comprehensive Plan.

Condition: None.

Drainage and Snow Storage – No modifications to existing drainage are proposed at this time. Snow storage was not addressed in the submitted application. In July of 2024, CBJ put out Request For Bid to contract out snow removal to a third party.

Condition: None.

Historic District – Not applicable.

Condition: None.

Hazard Zones – A portion of the property is in a flood zone, but the structure was built above base flood elevation outside of the flood zone.

Condition: None.

Public Health, Safety, and Welfare – There are no anticipated public health or safety issues associated with this proposed development.

Condition: None.

Property Value or Neighborhood Harmony – Available evidence indicates that property values will not be affected and the proposed use is in harmony with the surrounding neighborhood.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between January 14, 2025, and February 4, 2025, and received the following responses (**Attachment N**):

Agency	Summary
CDD Building Division	No response received.
CBJ General Engineering	No response received.
CBJ Lands and Resources	No response received.
CBJ Parks and Recreation	The applicant’s use of this space will have no impact on the on the 2018 Adair Kennedy Master Plan.
Capital City Fire & Rescue	No comments at this time.
CBJ Streets Department	No concerns.

PUBLIC COMMENTS

CDD conducted a public comment period between January 16, 2025, and February 4, 2025. Public notice was mailed to property owners within 500 feet of the proposed development (**Attachment O**). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment P**). No public comments were submitted at the time of writing this staff report.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	14	216	14.1-SOP4	Incorporate Planning Commission review in the siting of public, parochial and private schools to assure land use compatibility and to encourage the shared use of outdoor play areas and parking resources with nearby residential, cultural or institutional uses.
	14	218	Policy 14.3	Support the provision of quality childcare by working with providers, advocates, and other stakeholders to ensure an adequate supply of affordable, quality childcare in Juneau.
	14	218	Policy 14.3	Support the provision of quality childcare by working with providers, advocates, and other stakeholders to ensure an adequate supply of affordable, quality childcare in Juneau.
2015 Economic Development Plan	Initiative- Attract and Prepare the Next Generation Workforce	61	Potential Threats	The lack of availability and affordability of childcare is a detriment to increasing the workforce
	Initiative- Attract and Prepare the Next Generation Workforce	65	Ease the childcare barrier	Increase capacity, quality and affordability of childcare so more residents can fully participate in the workforce.
		65	Action 2-B	Collaborate on development of an 80-100 child daycare facility in Juneau.
			Action 2-D	Support and expand after school and summer childcare options that are

PLAN	Chapter	Page No.	Item	Summary
				compatible with working parent schedules.
			Action 2-E	Collaborate with childcare and pre-K education providers to secure affordable and appropriate space for pre-K programs.

FINDINGS

Conditional Use Permit Criteria – Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission’s Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested Conditional Use Permit complete?

Analysis: No further analysis required.

Finding: Yes. The application is complete.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Analysis: The application is for an Educational Center in a D5 zoning district. The use is listed at CBJ 49.25.300, Section 7.310.

Finding: Yes. The proposed use is appropriate according to the Table of Permissible Uses.

3. Will the proposed development comply with the other requirements of this chapter?

Analysis: No further analysis needed.

Finding: Yes. With the recommended condition, the proposed development will comply with Title 49.

4. Will the proposed development materially endanger the public health, safety, or welfare?

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that the requested Educational Center, located in a D5 residential zoning district, will materially endanger the public health or safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that the requested Educational Center, located in a D5 residential zoning district, will substantially decrease the value or be out of harmony with the property in the neighboring area.

6. Will the proposed development be in general conformity with the Comprehensive Plan, or other officially adopted plans?

Analysis: No further analysis needed.

Finding: Yes. The proposed Educational Center, with the recommended condition, will be in general conformity with the 2013 Comprehensive Plan, and the 2015 Economic Development Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of an Educational Center in a D5 zone.

The approval is subject to the following condition:

1. Signs are regulated under CBJ 49.45. A separate permit is required for most signs. Contact the Community Development Department for more information prior to designing, purchasing, or installing exterior signs.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1963 Plat
Attachment C	1967 Approved Site Plan for CU-6-67
Attachment D	CBJ-01-84
Attachment E	CU-14-90
Attachment F	CU-11-91
Attachment G	CU-23-92
Attachment H	CU-21-93
Attachment I	CU44-95
Attachment J	USE98-00056
Attachment K	USE2001-00037
Attachment L	Federal Regulations regarding Head Start teacher v. student ratios
Attachment M	CSP2019 0004- Mendenhall Loop Road roundabouts
Attachment N	Agency Comments
Attachment O	Abutters Notice
Attachment P	Public Notice Sign Photo



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

PROPERTY LOCATION																			
Physical Address 3800 Mendenhall Loop Road, Juneau, AK 99801																			
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USS 2084 LT 1A																			
Parcel Number(s) 5B2401000020																			
<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____																			
LANDOWNER/ LESSEE																			
Property Owner CITY AND BOROUGH OF JUNEAU & LANDS AND RESOURCES	Contact Person Dan Bleidorn r																		
Mailing Address 155 S SEWARD ST, JUNEAU AK 99801	Phone Number(s) 907-586-5252																		
E-mail Address																			
LANDOWNER/ LESSEE CONSENT																			
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.																			
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.																			
To be completed by Applicant	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Dan Bleidorn</td> <td style="width:50%;">Lands & Resources Manager</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>Landowner/Lessee (Printed Name)</td> <td>Title (e.g.: Landowner, Lessee)</td> </tr> <tr> <td>X <u><i>Daniel Bleidorn</i></u></td> <td><u>12/30/24</u></td> </tr> <tr> <td>Landowner/Lessee (Signature)</td> <td>Date</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>Landowner/Lessee (Printed Name)</td> <td>Title (e.g.: Landowner, Lessee)</td> </tr> <tr> <td>X _____</td> <td>_____</td> </tr> <tr> <td>Landowner/Lessee (Signature)</td> <td>Date</td> </tr> </table>	Dan Bleidorn	Lands & Resources Manager	_____	_____	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)	X <u><i>Daniel Bleidorn</i></u>	<u>12/30/24</u>	Landowner/Lessee (Signature)	Date	_____	_____	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)	X _____	_____	Landowner/Lessee (Signature)	Date
Dan Bleidorn	Lands & Resources Manager																		
_____	_____																		
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)																		
X <u><i>Daniel Bleidorn</i></u>	<u>12/30/24</u>																		
Landowner/Lessee (Signature)	Date																		
_____	_____																		
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)																		
X _____	_____																		
Landowner/Lessee (Signature)	Date																		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.																			
APPLICANT If same as LANDOWNER, write "SAME"																			
Applicant (Printed Name) Stephanie Banua	Contact Person SAME																		
Mailing Address P.O. Box 25500, Juneau, AK 99802	Phone Number(s) 907-463-7110																		
E-mail Address sbanua@tlingitandhaida.gov																			
X <u><i>Stephanie Banua</i></u>	<u>11.1.24</u>																		
Applicant's Signature	Date of Application																		

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 12/30/2024	
Case Number USE 24-21	Date Received 12/31/24



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY	
Tlingit & Haida Education Center - 3800 Mendenhall Loop Road, formerly known as Floyd Dryden Middle School	
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED	
<input type="radio"/> Accessory Apartment – Accessory Apartment Application (AAP) <input checked="" type="radio"/> Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category: <u>3 - We are not changing the use of this building still intended to be used as a school</u>	
IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? <input type="radio"/> YES – Case # _____ <input checked="" type="radio"/> NO	
UTILITIES PROPOSED WATER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site Intake note: Water/Sewer is public.	
SITE AND BUILDING SPECIFICS	
Total Area of Lot <u>N/A</u> square feet Total Area of Existing Structure(s) <u>N/A</u> square feet	
Total Area of Proposed Structure(s) <u>Roughly 27,578</u> square feet	
EXTERNAL LIGHTING	
Existing to remain <input type="radio"/> No <input checked="" type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <input checked="" type="radio"/> No <input type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures	
ALL REQUIRED DOCUMENTS ATTACHED	
<input checked="" type="checkbox"/> Narrative including: <input type="checkbox"/> Current use of land or building(s) <input checked="" type="checkbox"/> Description of project, project site, circulation, traffic etc. <input checked="" type="checkbox"/> Proposed use of land or building(s) <input type="checkbox"/> How the proposed use complies with the Comprehensive Plan	
<input checked="" type="checkbox"/> Plans including: <input checked="" type="checkbox"/> Site plan <input checked="" type="checkbox"/> Floor plan(s) <input type="checkbox"/> Elevation view of existing and proposed buildings <input type="checkbox"/> Proposed vegetative cover <input checked="" type="checkbox"/> Existing and proposed parking areas and proposed traffic circulation <input type="checkbox"/> Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)	
<i>If this is a modification or extension include:</i>	
<input type="checkbox"/> Notice of Decision and case number <input type="checkbox"/> Justification for the modification or extension <input type="checkbox"/> Application submitted at least 30 days before expiration date	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$500			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ 50			
Pub. Not. Sign Deposit	\$ 100			
Total Fee	\$ 650.00			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
USE24-21	12/31/24



Central Council of the Tlingit & Haida Indian Tribes of Alaska

907.586.1432 • 800.344.1432

PO Box 25500 • Juneau, Alaska 99802

TlingitandHaida.gov

October 16, 2024

Stephanie Banua
Director of Facilities & Projects • Tribal Operations
(907) 463-4110
sbanua@tlingitandhaida.gov

CBJ Permitting Department
City and Borough of Juneau
230 S. Franklin Street, 4th Floor Marine View Building
Juneau, AK 99801

Subject: Request for Conditional Use Permit – Tlingit & Haida Education Center

Dear Mr. Quinto,

I am writing to formally request a conditional use permit for the operation of the Tlingit & Haida Education Center at 3200 Mendenhall Loop Road, formerly known as Floyd Dryden Middle School. This facility will serve as a comprehensive early childhood education (ECE) center for children from birth to five years old, as well as offer after-school programs and tutoring services for youth in grades K-12. The estimated total number of children to be enrolled in the ECE programs is 112, with an estimated staff of 60. Below are the details of the programs that will operate within the center:

1. Haa Yoo X’atángi Kúdi (ECE Tlingit Immersion Program for Children Ages 3-5):

- Population: 6 children
- Classrooms: 1
- Description: This pre-kindergarten immersion program, licensed by the State of Alaska, offers instruction entirely in the Lingit language, providing cultural, social, and academic content for children ages 3 to 5. The program runs from late August to May.

2. Head Start (ECE Program for Children Ages 3-5):

- Population: 60 children
- Classrooms: 3
- Description: Tlingit & Haida Head Start nurtures cognitive, social, and emotional development, focusing on school readiness for low-income families. The program fosters growth in language, literacy, and health while strengthening family and community connections.

3. Early Head Start (ECE Program for Children Ages Birth - 3):

Page 1 of 2

- Population: 16 children
- Classrooms: 2
- Description: This program offers services to infants and toddlers (birth to 3 years) from low-income families, promoting physical, cognitive, social, and emotional development, while empowering parents in their caregiving roles.

4. LEARN Child Care Center (ECE Program for Children Birth - 5):

- Population: 30 children (with potential for an additional 30)
- Classrooms: 3 (infant, toddler, preschool)
- Description: LEARN offers year-round, full-day childcare services for children birth to 5 years old. The center encourages creativity, critical thinking, and social-emotional development through a curriculum based on Alaska’s Early Learning Guidelines.

5. After-School Programs and Tutoring for Youth (K-12):

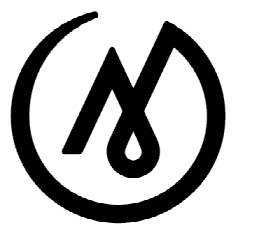
- Population: To be determined based on need
- Classrooms: Flexible use of space based on participation
- Description: The center will also offer after-school programs and tutoring services for youth in grades K-12, focusing on academic support, cultural enrichment, and skill development. These programs aim to help students improve their academic performance while fostering a strong sense of community and cultural identity.

We believe that the Tlingit & Haida Education Center will provide significant educational and cultural benefits to the Juneau community, while addressing the growing demand for early childhood education, after-school care, and academic support. We are committed to ensuring compliance with all zoning and regulatory requirements and are available to provide any additional information or documentation needed to facilitate the review of this request.

Thank you for your consideration of this permit application. We look forward to the opportunity to contribute to the community’s educational development.

Sincerely,

Stephanie Banua
K'aahani



MCG EXPLORE DESIGN

421 West 1st Avenue, Suite 300
Anchorage, Alaska 99501
907.563.8474 | F 907.563.4572
exploredesign.com

Tlingit & Haida Head Start, Haa Yoo X'atángi Kúdi

Tlingit-Haida Floyd Dryden Head Start Conversion

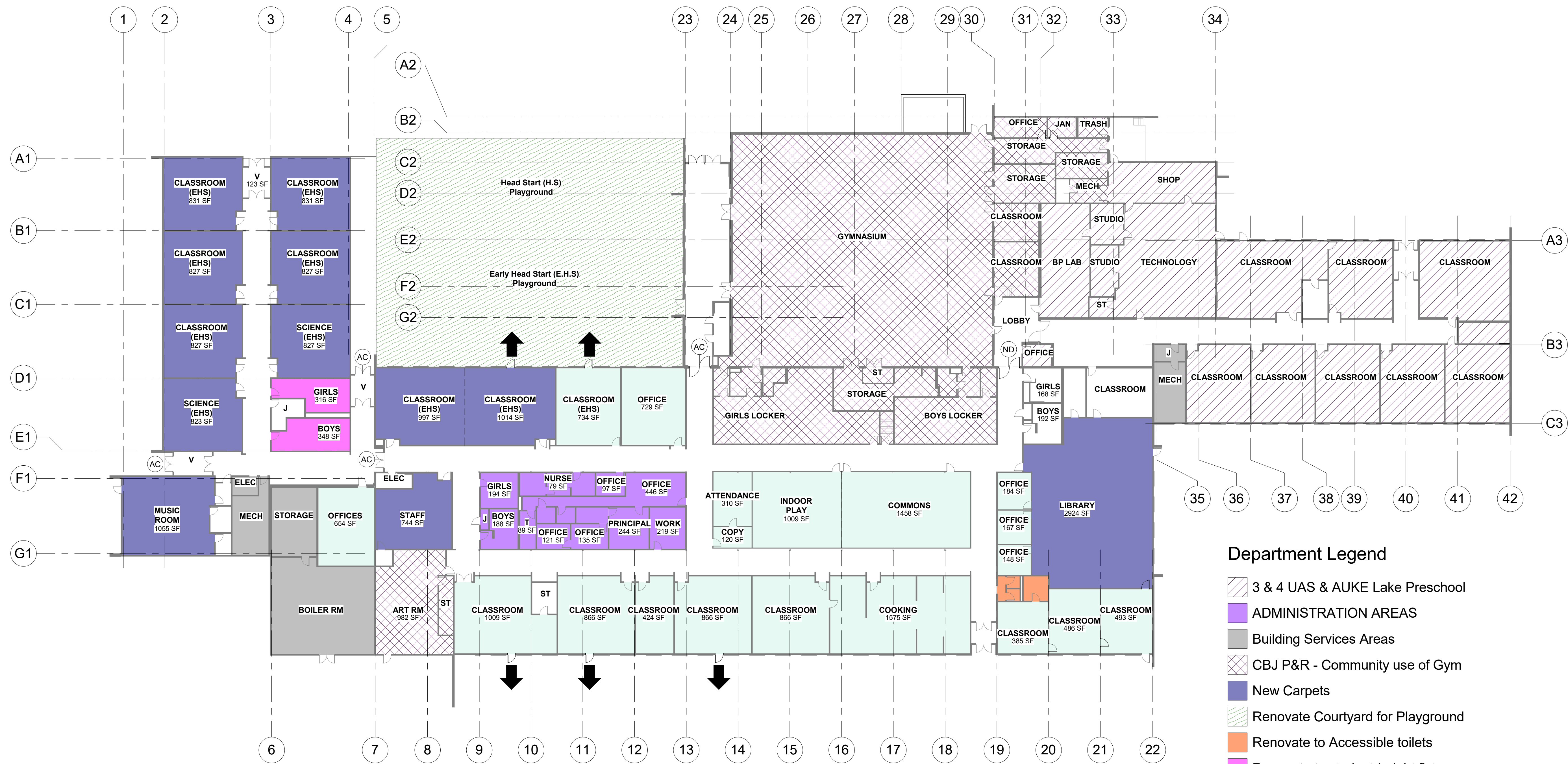
9CQM+22 Mendenhall Way, Juneau, AK

PROPOSED USES

JOB NO.	2024.061
DATE:	10/15/2024
PROJ. MGR.:	GB
DRAWN BY:	SP
REVIEWED BY:	GB
REVISIONS:	

FLOOR PLAN - LEVEL 1

SHEET NO.
A101



Department Legend

- 3 & 4 UAS & AUKE Lake Preschool
- ADMINISTRATION AREAS
- Building Services Areas
- CBJ P&R - Community use of Gym
- New Carpets
- Renovate Courtyard for Playground
- Renovate to Accessible toilets
- Renovate to student-height fixtures
- Replace Flooring; Touch up Paint

KEYNOTES

- AC ACCESS CONTROL
- ND NEW DOOR
- NEW EXTERIOR DOORS
- FOLDING DOORS

1 PROPOSED USES - FLOOR PLAN
A101 1" = 20'-0"



TOTAL PARKING COUNT:
115 PARKING SPACES (PS)
7 ADA PARKING SPACES



Tlingit & Haida Head Start, Haa Yoo X'atlangi K'oodl

Tlingit-Haida
Floyde Dryden
Head Start
Conversion

RCOM-22 Mendenhall Wwy,
Juniper, AK

PROPOSED USES

JCA No.	2024-091
DATE	10/15/2024
PROJECT	SB
CREATED BY	SP
REVIEWED BY	DB
PROJECT	

PARKING
COUNT

SHEET NO.
A001



(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

T&H Education Center – Floyd Dryden

Case Number: PAC2024 0056
 Applicant: CCTHITA
 Property Owner: CBJ School District
 Property Address: 3800 Mendenhall Loop Road
 Parcel Code Number: 5B2401000020
 Site Size: 33.78 acres
 Zoning: D5 – Single Family Residential
 Existing Land Use: TPU 5.100 – Educational

Conference Date: October 30, 2024
 Report Issued: December 5, 2024

DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Stephanie Banua, Director of Facilities & Projects for CCTHITA	Applicant	SBanua@tlingitandhaida.gov
Ilsa Lund Jolene Murphy	Planning	Ilsa.Lund@juneau.gov Jolene.Murphy@juneau.gov
Jeff Hedges	Building	Jeffrey.Hedges@juneau.gov
David Sevdý	Permit Center	David.Sevdy@juneau.gov
Dan Bleidorn	Lands and Resources	Dan.Bleidorn@juneau.gov
Theresa Ross	Capital City Fire	Theresa.Ross@juneau.gov

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Project Overview

Tlingit & Haida is proposing to use the existing structure previously housing Floyd Dryden Middle School as a campus for early childhood education and K-12 after-school programs.

Planning Division

1. **Zoning** – D5
2. **Table of Permissible Uses** – 5.100, requires a Conditional Use Permit
3. **Subdivision** – N/A
4. **Setbacks** – 20 ft. front and rear, 5 ft. sides
5. **Height** – 35 ft.
6. **Access** – Mendenhall Loop Rd.
7. **Parking & Circulation** – 2 parking spaces required per classroom (18+).
8. **Lot Coverage** – 50% maximum
9. **Vegetative Coverage** – 20% minimum
1. **Lighting** – Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property.

Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall at the discretion of the Community Development Department, according to the requirements at §49.40.230(d) All exterior lighting fixtures shall be of a "full cutoff" design.

10. **Noise** – Not expected to be out of character with previous use.
11. **Flood** – Yes; however, the structure is not located within the flood zone.
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
13. **Wetlands** – None
14. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – None
16. **Traffic** – A Traffic Impact Analysis may be required.
17. **Nonconforming situations** – N/A
18. **Noncompliant situations** – The digital sign by the roundabout is unpermitted and not permissible. All signs installed in CBJ require a sign permit. See attached regulations.

Pre-Application Conference Final Report

Building Division

- 19. **Building** – No issues with this use permit.
- 20. **Outstanding Permits** – No outstanding building permits.

General Engineering/Public Works

- 21. **Engineering** – The plan shall include a water and sewer fixture schedule if changes are made to these quantities. A new water info sheet may be required to determine if the water line needs upgrade. The sewer fixture count should be called out if changes are made there. A CBJ water meter will continue to be required in the commercial building.
- 22. **Drainage** – It does not appear that drainage will be changed as part of the project. Please advise if this is incorrect or changes.
- 23. **Utilities** – See Engineering for CBJ water and sewer. Other utilities by others.

Fire Marshal

- 24. **Fire Items/Access** – No comments at this time.
-

Other Applicable Agency Review

- 25. DOT&PF will be contacted to provide feedback during the Conditional Use Permit Review

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

- 1. Development Permit Application signed by landowner (Dan Bleidorn – CBJ Lands and Resources Manager)
- 2. Conditional Use Permit (CUP) Application
- 3. Sign Permit Application – submitted after CUP approval when building permits are applied for.

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

- 1. A copy of this pre-application conference report.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

- 1. \$500 – Class II Conditional Use Permit
- 2. \$50 – Sign Permit (\$50.00 covers the first two signs, each additional sign is \$20.00)

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov

Pre-Application Conference Final Report

OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

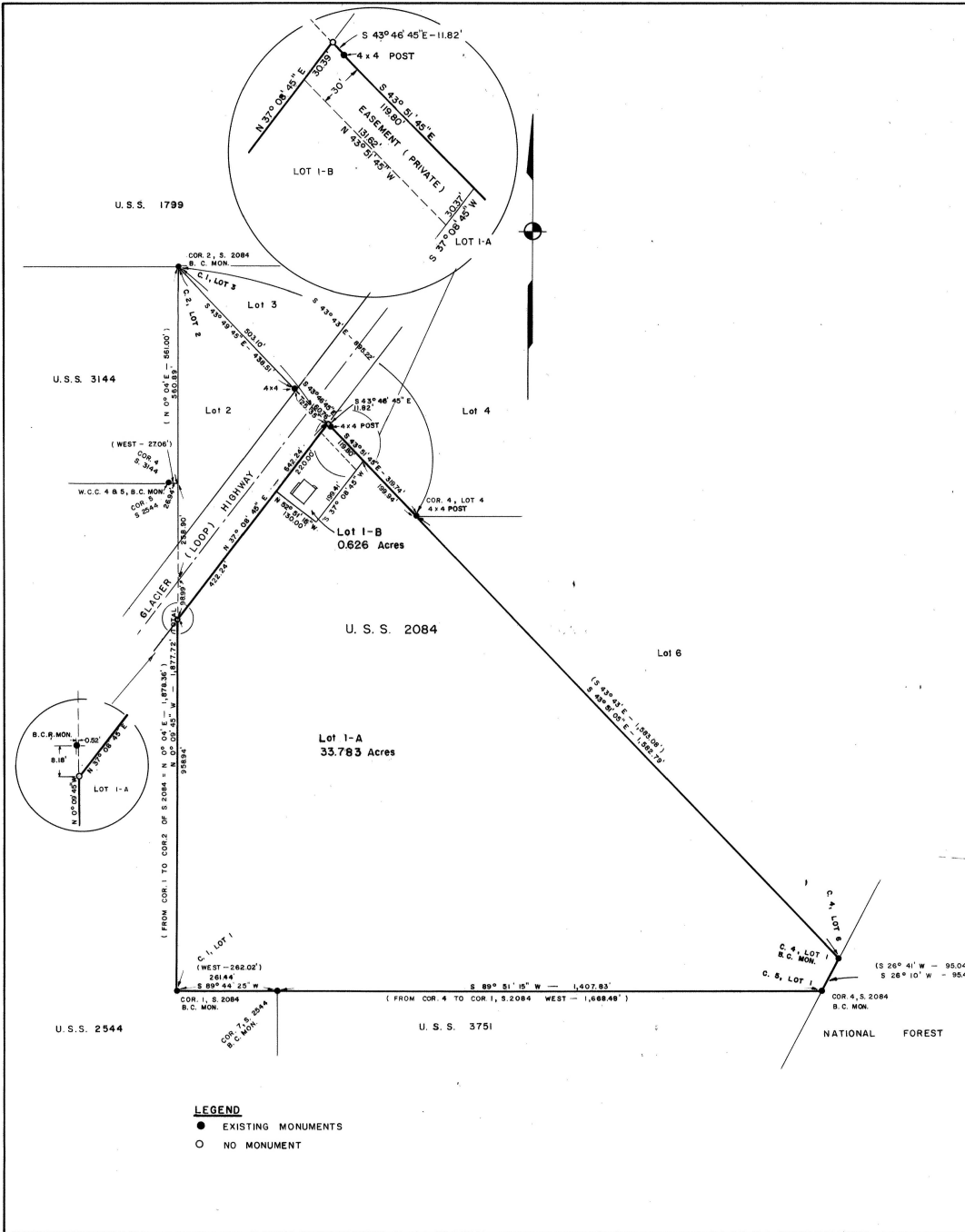
49.15.330 – Conditional Use Permit

49.45 – Signs

Development Permit Application form

Conditional Use Permit Application form

Sign Permit Application form



LEGEND
 ● EXISTING MONUMENTS
 ○ NO MONUMENT

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys and other open spaces to public or private use as noted.

Dec 5 1963
 Witnessed by: Robert A Findlay
Agnes Findlay

Juneau Recording District
 STATE OF ALASKA

On this 5th day of December 1963 before me, the undersigned, a Notary Public in and for the State of Alaska, residing at Juneau, Alaska, in said State, personally appeared Robert A Findlay, known to me to be the person who executed the foregoing certificate, and acknowledged to me that they executed said certificate freely and voluntarily for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto affixed my signature and official notarial seal the day, month and year in this certificate first above and therein mentioned.

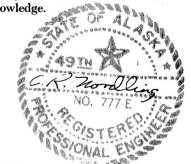


C. R. Nordling
 NOTARY PUBLIC FOR THE STATE OF ALASKA
 My Commission Expires: Nov. 23, 1964

CERTIFICATE OF REGISTERED ENGINEER

I hereby certify I am a registered professional civil engineer, and that this plat represents the survey made by me or under my direct supervision, and that all dimensional and other details are correct to the best of my knowledge.

Dec 5 1963



CERTIFICATE OF APPROVAL

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the Greater Juneau Borough Planning Commission and that said Plat has been approved by Plat Resolution No. 1 dated 12/6 1963, and that the Plat shown hereon has been approved for recording in the office of the District Magistrate, Juneau.

December 6 1963.
 Attest: William S. Mought Chairman
Frank D. Vogel Clerk

Note: The origin of bearings for this survey originated between corners 1 and 2, Lot 4, U.S.S. 2084, officially reported as East. Courses shown in parentheses are BLM record data. All other courses are as determined by field survey.

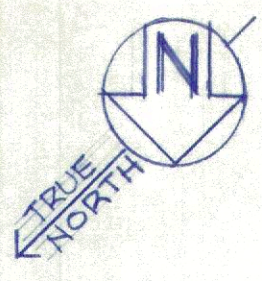
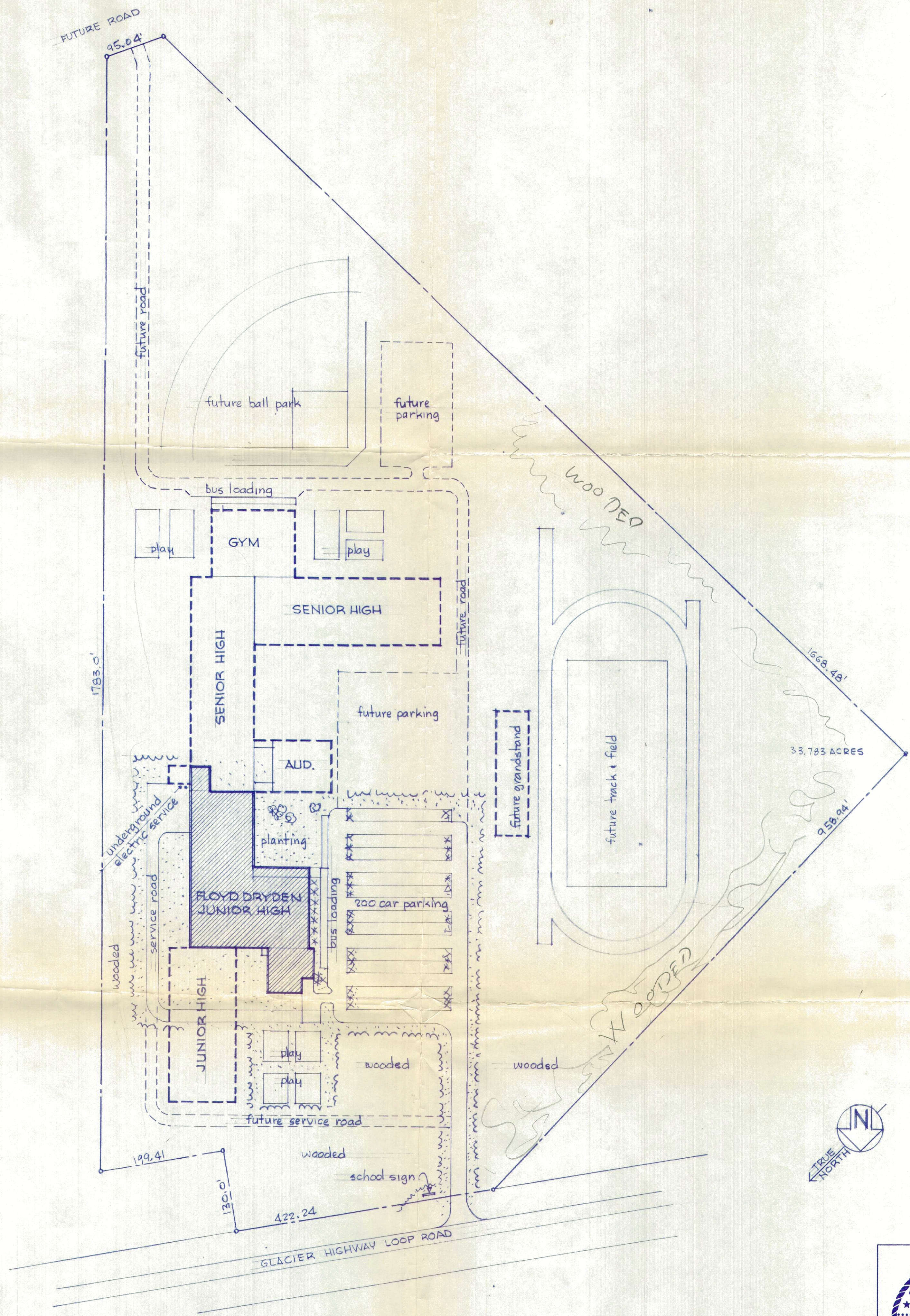


SUBDIVISION OF
LOT 1, U. S. SURVEY 2084
 APPROX. 13.5 MILES N.W. OF
 JUNEAU, ALASKA
 GLACIER (LOOP) HIGHWAY

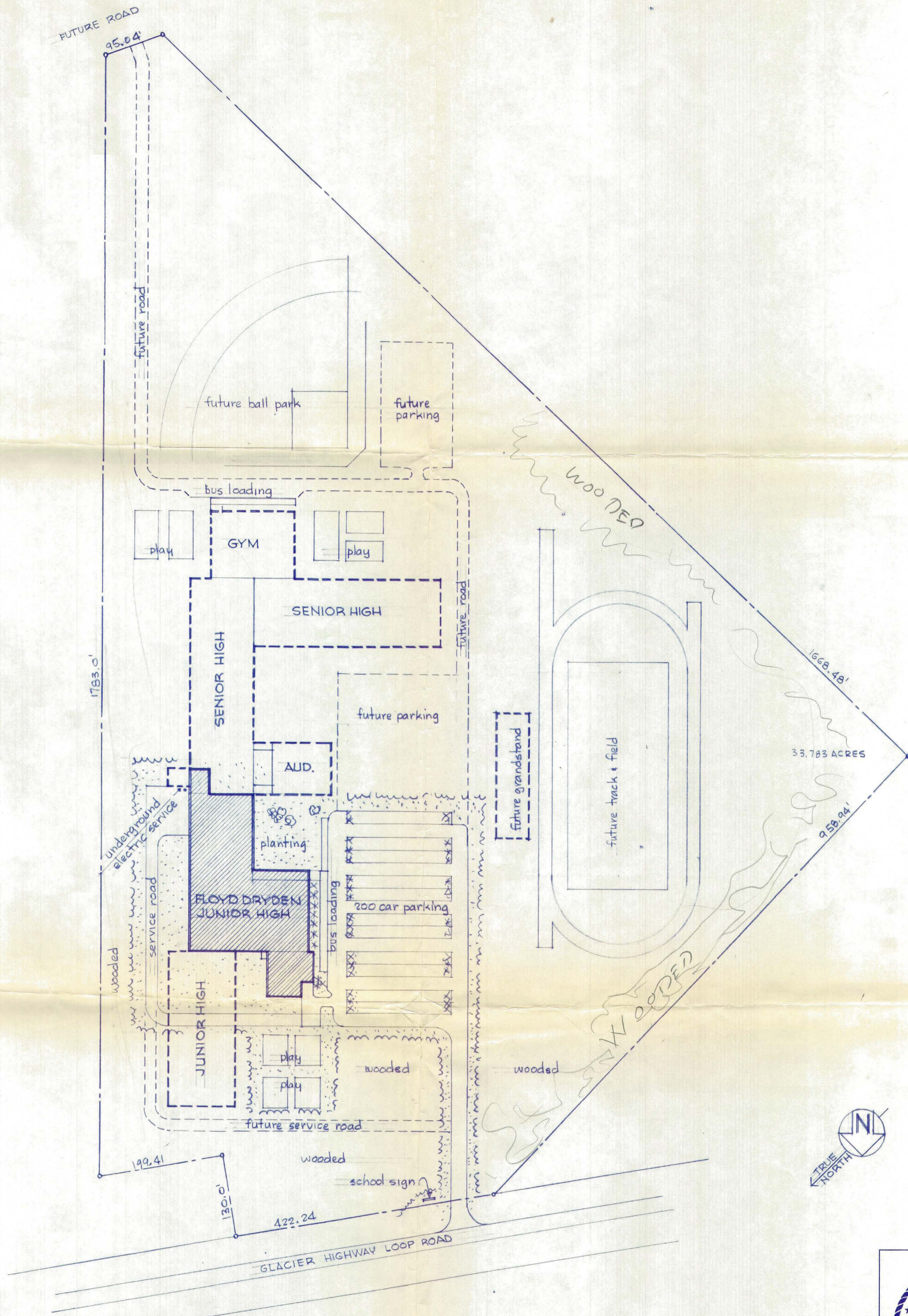
SCALE: 1" = 200' NOVEMBER, 1963

JUNEAU Serial No. 63-2977 TONER & NORDLING - REGT. ENGINEERS - JUNEAU, ALASKA

Plat # 402



SITE PLAN (FUTURE DEVELOPMENT)		1" = 100.0'
PRELIMINARY		DATE JUNE 26, 1967
FLOYD DRYDEN JUNIOR HIGH SCHOOL		DRAWN O
OLSEN & SANDS • ARCHITECTS • A.I.A. JUNEAU, ALASKA		SHEET OF 1/1



SITE PLAN (FUTURE DEVELOPMENT)		1" = 100.0'
PRELIMINARY		DATE JUNE 26, 1967
FLOYD DRYDEN JUNIOR HIGH SCHOOL		DRAWN 0
OLSEN & SANDS • ARCHITECTS • A.I.A. JUNEAU, ALASKA		SHEET OF 1/1

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

Planning Department

March 29, 1984

Dr. Harry Faas, Facility Coordinator
Juneau School District
P. O. Box 808
Douglas, Alaska 99824

Dear Dr. Faas:

The Planning Commission, at their regular meeting on March 27, 1984, approved the request to relocate the 3,000 square foot structure/classroom for Project Independence to the proposed park site. However, the following conditions were stipulated with approval of the site location:

1. The District shall relocate the structure within three (3) years;
2. The building shall be provided with parking, landscaping, and lighting; and
3. The building shall be refinished on the exterior to enhance its appearance.

All building and site plans shall be submitted to the City and Borough of Juneau Planning Department for review and approval. If you have any questions regarding these matters, please feel free to contact me (586-5235).

Sincerely,

Laurie Bender
Planner II

cc: Nicholas Ambrosia, AIA
GDM & Associates
217 Second St., Suite 208
Juneau, Alaska 99802

LB/tlp/288



March 8, 1984

Mr. Tom Peterson, Director
 Planning Department
 City & Borough of Juneau
 155 S. Seward Street
 Juneau, AK 99801

RE: FLOYD DRYDEN SPECIAL EDUCATION FACILITY - REVISED RELOCATION
 REQUEST, GDM #84-001

Dear Mr. Peterson,

The Juneau Borough School District requests your consideration and approval of a revised relocation of the temporary Special Education building presently situated at the Floyd Dryden school site. The reason for this proposed relocation is that the parents and staff have requested a more accessible and environmental orientation of this facility.

Attached please find the following documents for your review:

- A. Partial site plan showing the present location of the Special Education building.
- B. Partial site plan showing the previous relocation of the Special Education building. NOTE: This is the relocation site that has already been approved by your office.
- C. Partial site plan showing the proposed relocation of the Special Education building for your approval.

The Parks and Recreation Department has reviewed this proposal and has no objection to this revision.

As acceptable bids have been received for the new addition at the Floyd Dryden school site and Notice of Intent to Award has been approved by the School Board in order that this work may be completed in time for occupancy next fall, we request that this item be considered for approval at the Planning Commission meeting on March 27, 1984.

March 8, 1984
Tom Peterson
Page 2 of 2

Thank you for your continued cooperation on these necessary educational program improvements.

Sincerely,

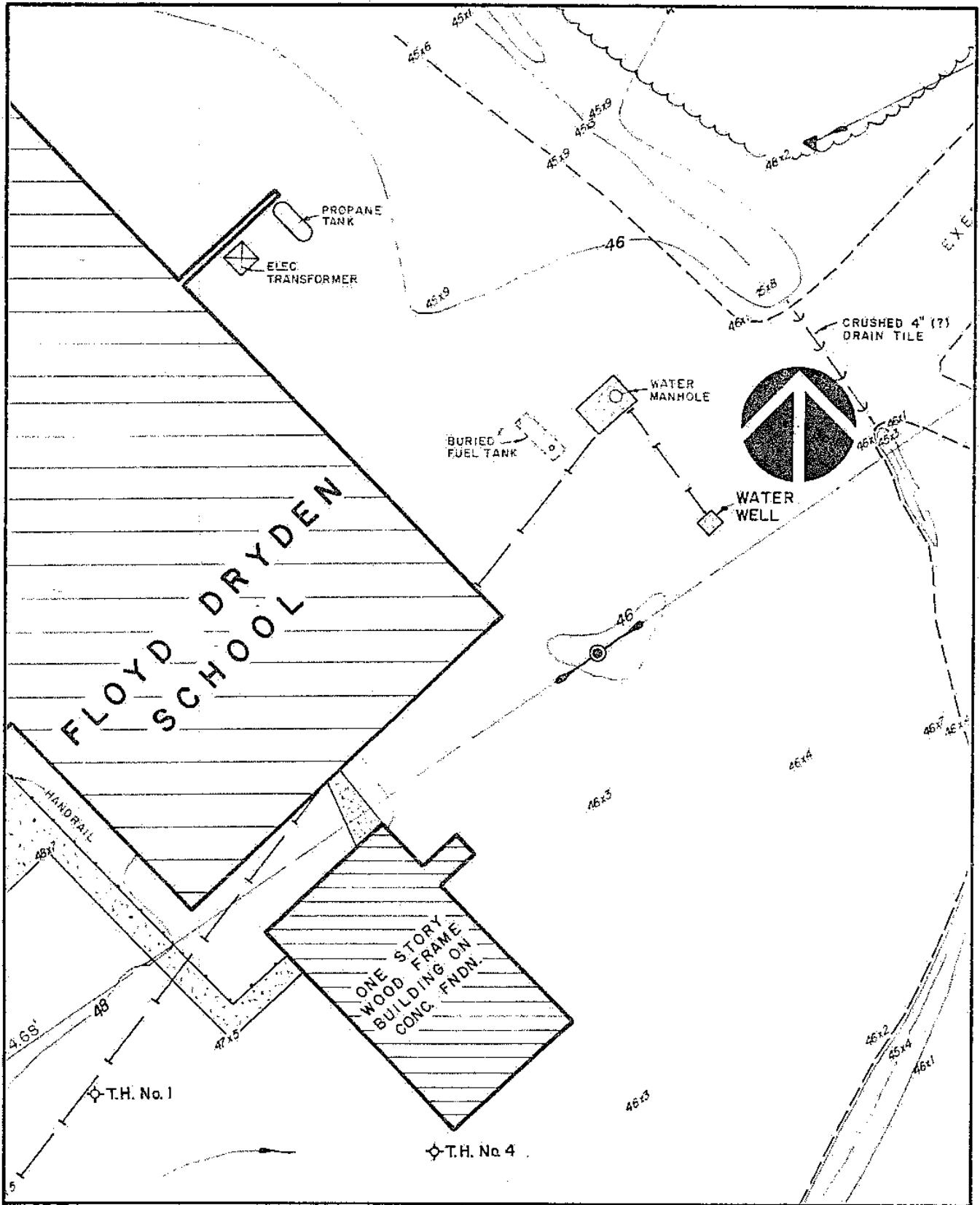


Nicholas Ambrosia, AIA
Architects: GDM & Associates, Inc.

NA/bb

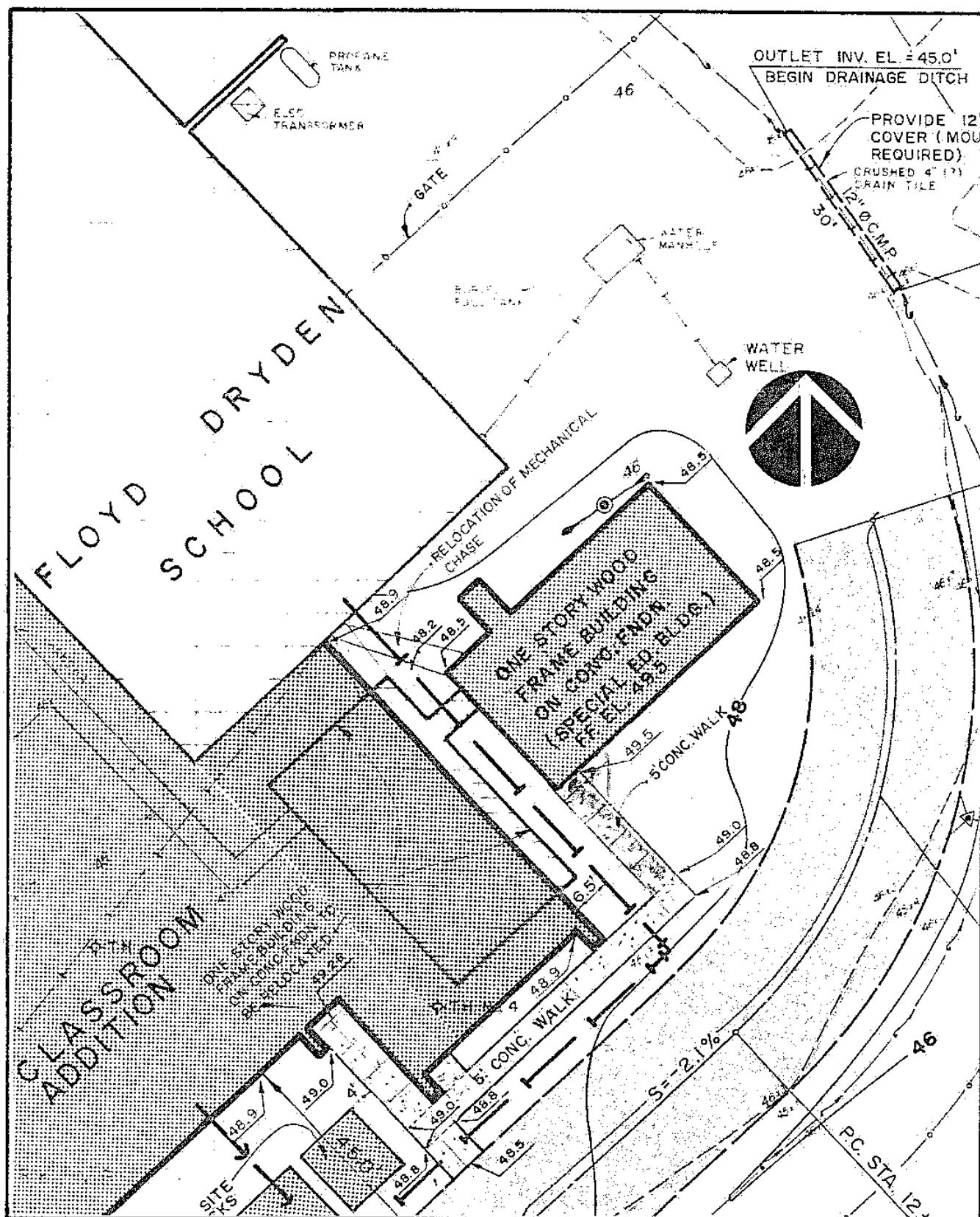
Enclosures (3)

cc: Jim Hall, Director, Parks and Recreation
Dr. Harry Faas, Facility Coordinator, Juneau School District
file



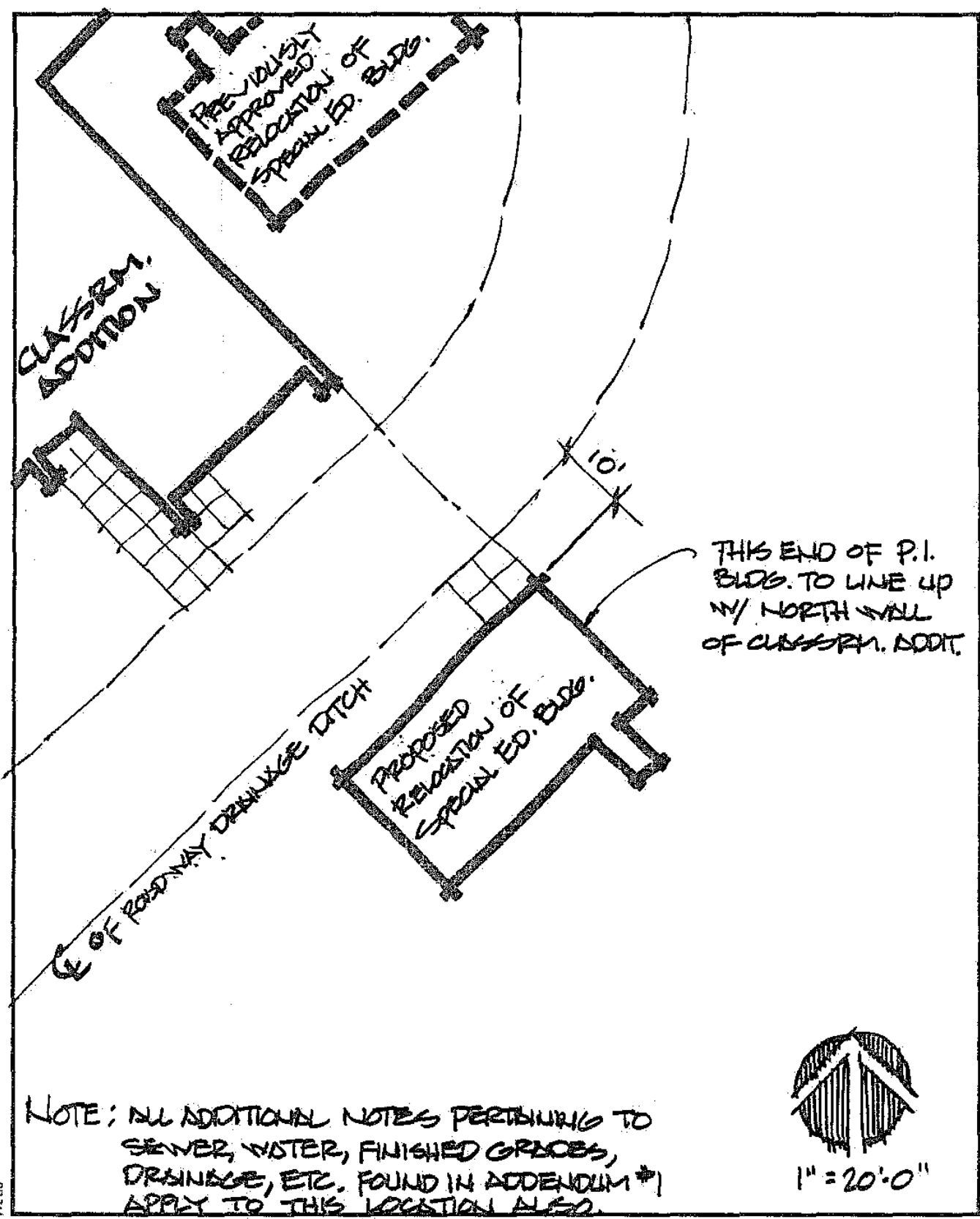
ARCHITECTS **GDM &**
associates inc.

A



ARCHITECTS **GDM &**
 associates inc.

B



SR711

Refer To Working Drawing Sheet No. _____
Date _____ Job No. _____

ARCHITECTS **GDM &**
associates inc.
ANCHORAGE • FAIRBANKS • JUNEAU



MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

TO: Planning Commission

DATE: January 5, 1984

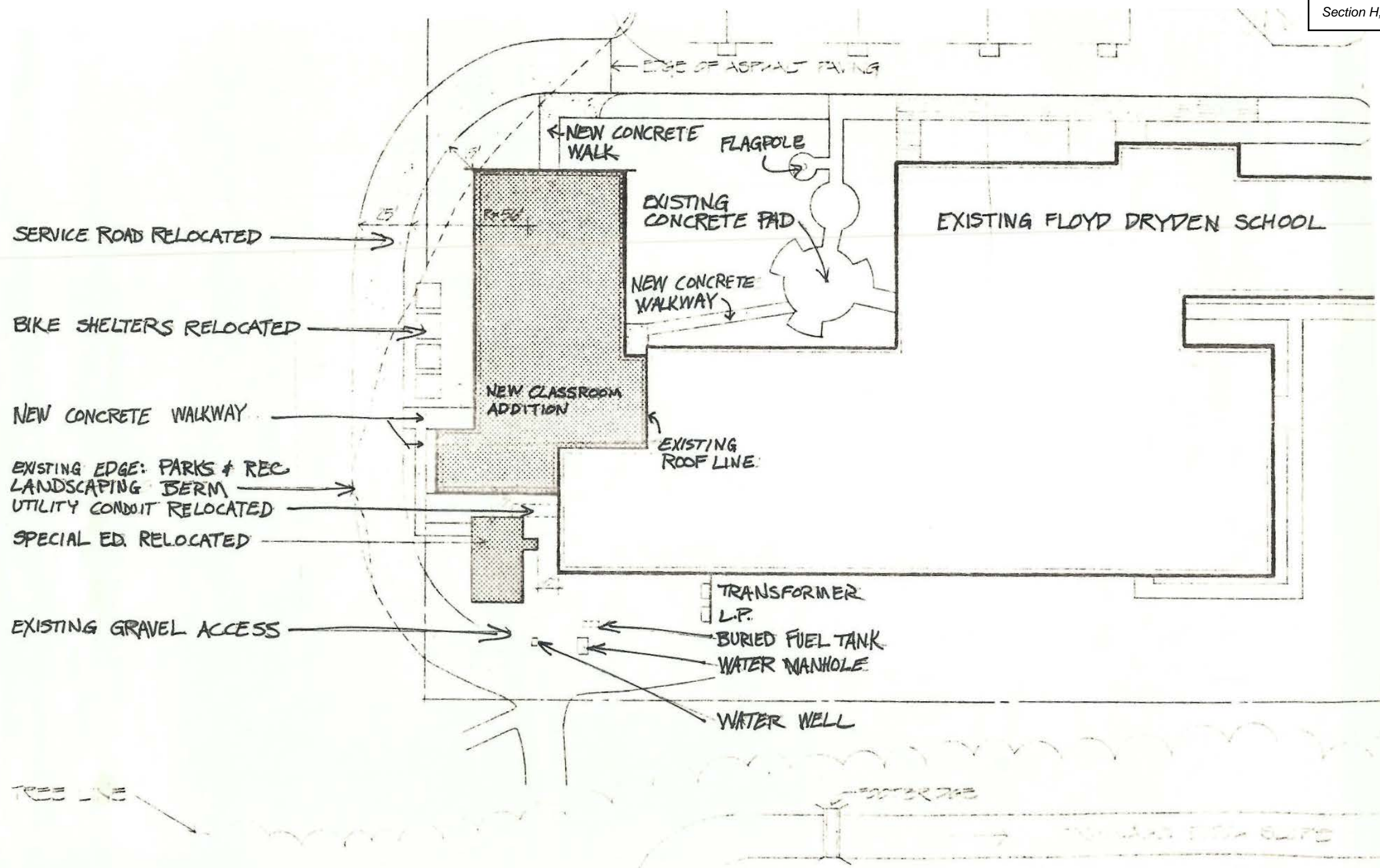
FROM: *Laurie Bender*
Laurie Bender
Planner II

FILE NO.

SUBJECT: Marie Drake and Floyd
Dryden Proposed Additions

The Planning and Engineering Departments have reviewed the plans for additions to the Marie Drake Middle School and the Floyd Dryden Middle School. The plans are in conformance with the City and Borough's Zoning Ordinance and the Building Code, thus staff will recommend Planning Commission approval.

LB:lkp
0929P



1-10-84

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. CONSIDERATION OF ORDINANCES

None.

VI. CONSIDERATION OF ADJOURNED MATTERS

None.

VII. NEW BUSINESS

CONSENT AGENDA

1. Floyd Dryden Middle School and Marie Drake Middle School expansion projects.

Applicant: City & Borough of Juneau School District

STAFF RECOMMENDATION

The Planning and Engineering Departments have reviewed the plans for additions to the Marie Drake Middle School and the Floyd Dryden Middle School. The plans are in conformance with the City and Borough's Zoning Ordinance and the Building Code, thus staff will recommend Planning Commission approval.

2. Area-wide water system reservoir locations at Switzer Creek and Auke Lake.

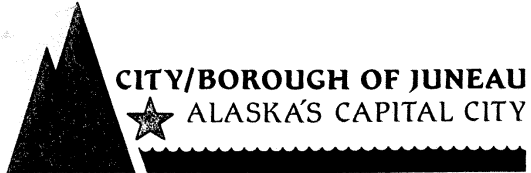
Applicant: City & Borough of Juneau

STAFF RECOMMENDATION

Staff would recommend approval of the proposed locations for the Switzer Creek and Auke Bay water reservoir tanks.

3. Proposed Reconnaissance Study of North Douglas Highway, RS-0959(12).

Applicant: State of Alaska, DOT/PF



**PLANNING COMMISSION
NOTICE OF DECISION**
July 13, 1990

File No. CU-14-90

City and Borough of Juneau,
School District
10014 Crazy Horse Drive
Juneau, Alaska 99801

Attn: Joe Mueller

Application for:	Conditional Use Permit
Legal Description:	Lot 1A, U.S. Survey 2084
Parcel Number:	5-B24-0-100-002-0
Date Submitted:	May 22, 1990
Hearing Date:	June 12, 1990

The Planning Commission at their June 12, 1990 regular public meeting, approved the application for a conditional use permit to locate a modular building at Floyd Dryden Middle School for classroom expansion with the following condition:

1. The term of the permit is for 3 years from the date of Planning Commission approval.

Effective Date:	July 2, 1990
Expiration Date:	December 12, 1991 (date by which a building permit must be obtained)

Notice of Decision
CU-14-90
Page 2

Terms of Permit: June 12, 1993

Project Planner: *Tim Maguire*
Tim Maguire
Planner III

RECEIVED BY CITY CLERK
James R. Bell
7/13/90

cc: Debra J. Purves

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 10, 1991
TO: Planning Commission
FROM: Tim Maguire, Planner III
Community Development
SUBJECT: Conditional Use Permit
FILE NO.: CU-11-91

GENERAL INFORMATION

Applicant: City and Borough of Juneau School District
Property Owner: City and Borough of Juneau
Requested Action: Conditional Use Permit Application
Purpose: To locate an additional modular building for classroom purposes.
Legal Description: Lot 1A, U.S. Survey 2084
Parcel Code Number: 5-B24-0-100-002-0
Location: Mendenhall Loop Road
Site Size: Approximately 27 Acres
Access: Mendenhall Loop Road
Existing Land Use: Middle School
Surrounding Land Use: North - Single family/Duplex Residential
South - Kennedy Adair Park
East - Kennedy Adair Park
West - Mendenhall Loop Road, Single family/Duplex Residential
Zoning: D-5 Residential
Utilities: Public Water and Sewer

PROJECT DESCRIPTION

This is a proposal by the Juneau School District to locate an additional modular building at the Floyd Dryden Middle School to provide additional classroom space.



Planning Commission
File No.: CU-11-91
Page 2

BACKGROUND

The School District is requesting this expansion of classroom space to accommodate an increase in enrollment for the middle school grades. The proposed middle school at Lemon Creek will accommodate this shortfall in space needs. The time frame for completion of the new middle school, however, has slowed up considerably.

The two existing modular buildings were placed on the site in 1984 and 1990. These units are permitted until June 12, 1993.

ANALYSIS

The staff does not see any major land use issues with the proposed addition.

Any new classroom space requires additional parking. The existing parking well exceeds these ordinance requirements.

A concern with this proposed use is with modular type construction becoming a permanent addition to the school. This use is being proposed to fulfill a temporary need until such time as a new middle school is constructed. Staff will recommend that this permit be limited to June 12, 1993, consistent with the existing units.

The proposed building location will be located adjacent to the existing modulars and on the edge of the park site. Staff will recommend that the construction site be reseeded to be consistent with these park lands.

FINDINGS

The Director of Community Development shall make findings on an application for a conditional use permit. The Planning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The Director's findings are:

- 1. **Is the requested permit proper according to the Table of Permissible Uses?**

Yes, Schools are allowed as a conditional use in the D-5 district under section 5.100.

- 2. **Is the application complete?**

Yes, the application is complete.

Planning Commission
File No.: CU-11-91
Page 3

3. Does the proposed development follow the other requirements of the CBJ land use code.

Yes, all standards of the code are met.

4. Will the proposed development materially endanger the public health or safety?

No, there is no danger to public health and safety.

5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

No, the project is not out of harmony with the neighborhood, with the recommended conditions.

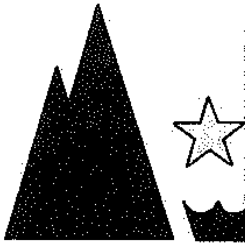
6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes, this proposal is consistent with all plans.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the above findings and grant the requested conditional use permit. The following conditions are included.

1. That the term of the permit be limited to June 12, 1993.
2. That the construction site be reseeded consistent with the adjacent park lands.



JUNEAU SCHOOL DISTRICT

CITY AND BOROUGH OF JUNEAU

10014 CRAZY HORSE DRIVE • JUNEAU, ALASKA 99801-8529 • (907) 586-2303

May 9, 1991

Mr. Tim McGuire
Community Development
155 South Seward Street
Juneau, AK 99801

RE: Floyd Dryden Middle School additional modular class room request

Dear Mr. McGuire:

As per our conversations, the Juneau School District requests your consideration for approval to locate an additional modular classroom at the Floyd Dryden School Site.

The current 1990-91 enrollment at the middle school level is 1166 students. Because the 1991-92 enrollment projections call for 1223 middle school students, (a 57 student increase over the current level), the Juneau School District is requesting approval to locate an additional modular class room at Floyd Dryden to help accommodate this increase at the middle school level.

Floyd Dryden's parking lot is paved and striped for 114 parking spaces.

Thank you for your continued cooperation on these necessary educational program improvements.

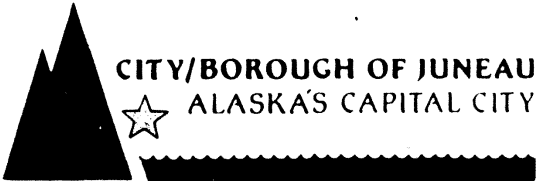
Sincerely

A handwritten signature in black ink that reads "Joseph R. Mueller".

Joseph R. Mueller
Facilities Manager

cc: Laraine L. Glenn; Business Services' Manager

[fdmcr91]



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: July 16, 1992

File No.: CU-23-92

Juneau School District
10014 Crazy Horse Drive
Juneau, AK 99801-8529

Application For: Conditional Use Permit
Legal Description: Lot 1A, US Survey 2084
Parcel Code No.: 5-B24-0-100-002-0
Hearing Date: June 23, 1992

The Planning Commission, at its June 23, 1992, regular public meeting, approved your application for a permit, subject to the following conditions:


- 1. That the term of the permit be limited to June 12, 1995.
- 2. That the construction site be reseeded consistent with the adjacent parklands.
- 3. That the modular unit be removed and the site restored at or prior to the permit expiration date.

In addition, electrical service will need to be placed underground.

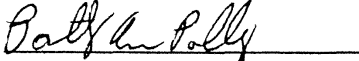
Effective Date: July 26, 1992

Expiration Date: June 12, 1995

Project Planner:


Tim Maguire
Planner

RECEIVED BY CITY CLERK


7-17-92

cc: Debra J. Purves ✓
Jim Dumont

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 20, 1993
TO: Planning Commission
FROM: Cheryl Easterwood, Assistant Director
Community Development Director



FILE NO.: CU-21-93

PROPOSAL: A conditional use permit to allow continued use of two modular units at Floyd Dryden Middle School.

GENERAL INFORMATION

Applicant: Juneau School District
Property Owner: City & Borough of Juneau
Property Address: Floyd Dryden Middle School
Legal Description: Lot 1A, U.S. Survey 2084
Parcel Code No.: 5-B24-0-100-002-0
Site Size: Approximately 27 Acres
Zoning: D-5, Residential
Utilities: CBJ Water & Sewer
Access: Mendenhall Loop Road
Existing Land Use: Middle School
Surrounding Land Use: North - Single Family/Duplex Residential
South - Kennedy Adair Park
East - Kennedy Adair Park
West - Mendenhall Loop Road, Single Family/Duplex Residential



Planning Commission
File No. CU-21-93
Page 2

PROJECT DESCRIPTION

This proposal is to renew an existing conditional use permit for two modular units at Floyd Dryden Middle School.

BACKGROUND

The school district is requesting to continue the use of two modular units at Floyd Dryden to accommodate enrollment which continues to exceed building capacity for the middle school grades. The new Lemon Creek Middle School will, when complete, house the excess students. However, the new middle school is not scheduled to open until August 1994.

The existing units are permitted until June 12, 1993.

ANALYSIS

The staff has not identified any major land use issues with the proposed continuation of modular use. Parking and other matters have been reviewed in previous permitting action. Staff is recommending conditions substantially the same as were placed on the previous permit, CU-11-91.

FINDINGS

The Director of Community Development shall make findings on an application for a conditional use permit. The Planning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The Director's findings are:

1. **Is the requested permit proper according to the Table of Permissible Uses?**

Yes, schools are allowed as a conditional use in the D-5 district under section 5.100.
2. **Is the application complete?**

Yes, the application is complete.
3. **Does the proposed development follow the other requirements of the CBJ land use code?**

Yes, all standards of the code are met.

Planning Commission
File No. CU-21-93
Page 3

4. Will the proposed development materially endanger the public health or safety?

No, there is no danger to public health and safety.

5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

No, the project is not out of harmony with the neighborhood, with the recommended conditions.

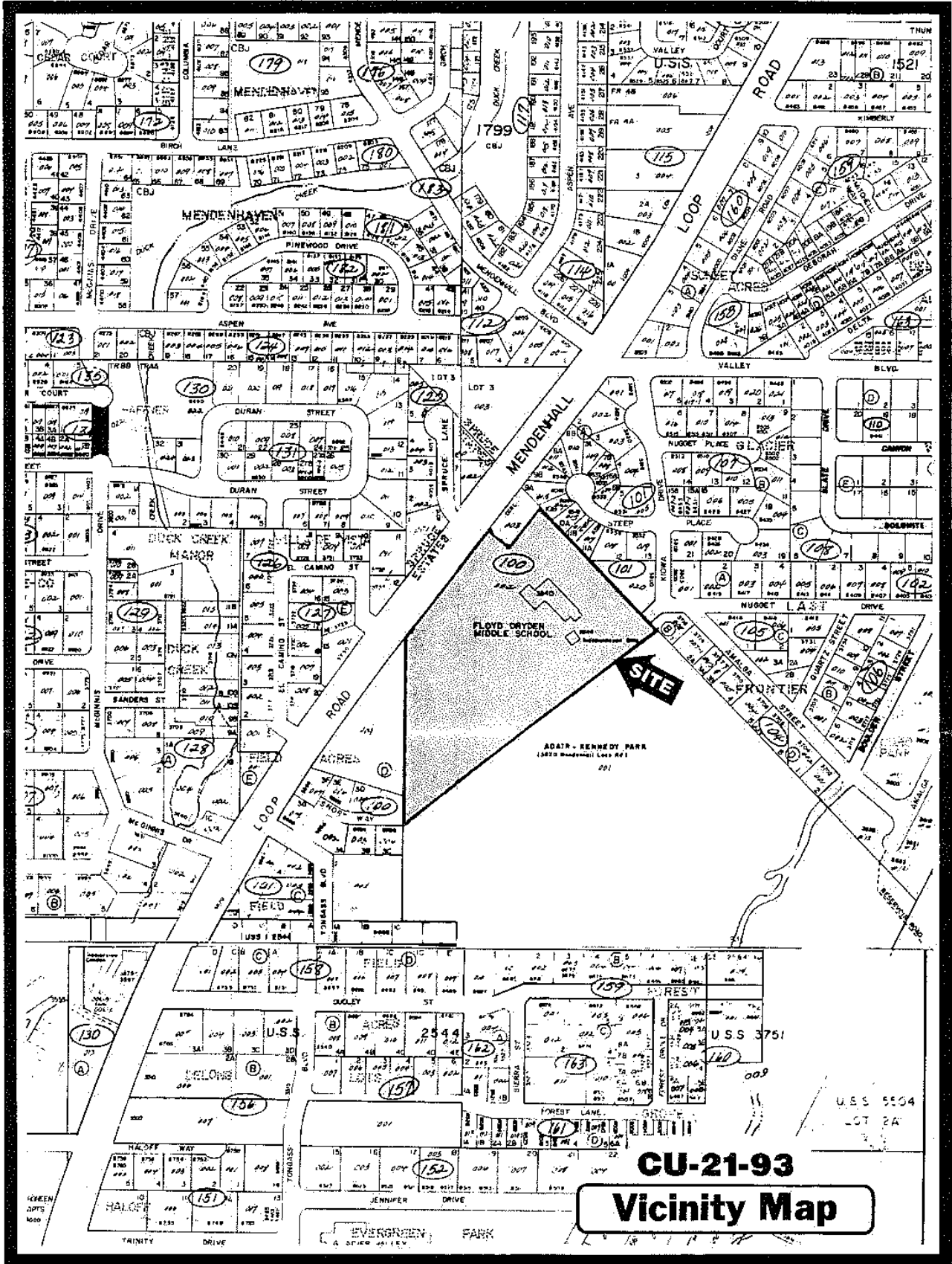
6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes, this proposal is consistent with all plans.

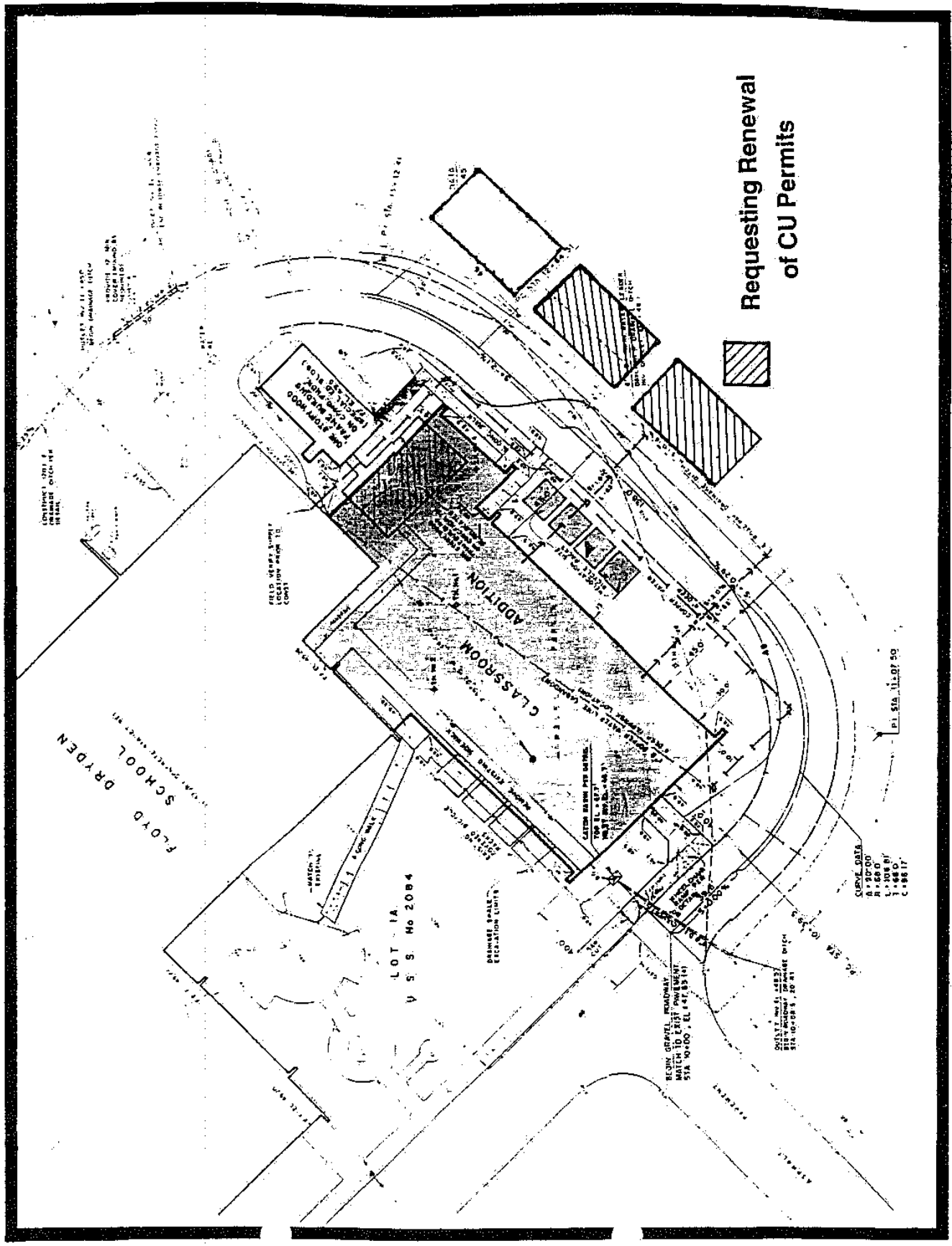
STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the above findings and grant the requested conditional use permit with the following conditions:

1. The term of the permit shall be limited to June 12, 1995.
2. Upon removal of the modulars the sites shall be reseeded consistent with the adjacent park lands.



CU-21-93
Vicinity Map



MEMORANDUM

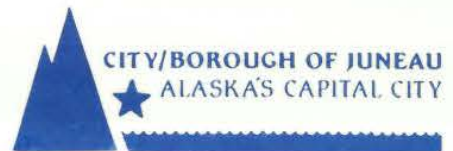
CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: August 4, 1995
TO: Planning Commission
FROM: Tim Maguire, Planner III
Community Development Department
FILE NO.: CU-44-95

PROPOSAL: A conditional use permit to allow continued use of two modular units at Floyd Dryden Middle School.

GENERAL INFORMATION

Applicant: Juneau School District
Property Owner: City & Borough of Juneau
Property Address: 3800 Mendenhall Loop Road
Legal Description: Lot 1A, U. S. Survey 2084
Parcel Code No.: 5-B24-0-100-002-0
Site Size: Approximately 27 Acres
Zoning: D-5, Single-family/Duplex Residential
Utilities: CBJ Water & Sewer
Access: Mendenhall Loop Road
Existing Land Use: Public Middle School
Surrounding Land Use: North - Single-family/Duplex Residential
South - Kennedy Adair Park
East - Kennedy Adair Park
West - Mendenhall Loop Road, Single-family/Duplex Residential



Planning Commission
File No.: CU-44-95
August 4, 1995
Page 2

PROJECT DESCRIPTION

The applicant requesting renewal of an existing conditional use permit for two modular classroom units at the Floyd Dryden Middle School.

BACKGROUND

The Juneau School District is requesting to continue the use of two modular classroom units. The district enrollment continues to exceed building capacity for the middle school grades.

These units were first permitted in 1990/1991. The most recent renewal extended the conditional use permit to June 12, 1995.

ANALYSIS

The intent of the most recent permit renewal was to extend the expiration date of the conditional use permit to a date after completion of the new middle school (Dzantik'i Heeni) in the Lemon Creek area. It was thought Dzantik'i Heeni Middle School would add capacity and eliminate the need for the modular classrooms at the Floyd Dryden Middle School. This excess in capacity has not occurred.

The continued lack of space is due to increased enrollment in the middle school age group. The former Marie Drake Middle School has been transferred into combined use by the high school and elementary school respectively.

The attached memos from the Juneau School District explain in more detail the specific changes in enrollment. The overall enrollment has already reached the combined capacity of both middle schools. Floyd Dryden is currently above capacity. Although there is some additional capacity at Dzantik'i Heeni Middle School, the District projects that enrollment will increase in the following years.

The District also anticipates an increase in the overall enrollment for the middle schools to continue because of new housing and development within the CBJ. There have been no complaints or any land use issues raised with these modular units. Other requirements, including parking, have been reviewed with previous permitting action. Staff, therefore, does not have a problem with renewal of the conditional use permit.

Planning Commission
File No.: CU-44-95
August 4, 1995
Page 3

We believe the long range goal is still to provide permanent facilities for the schools. Therefore, similar condition to the previous permits will be recommended, including an expiration date. This will allow review of the school enrollment, the condition of the modular buildings, and School District plans for facility improvements.

Juneau Coastal Management Program - The proposed development was reviewed for and is considered in compliance with CBJ §49.70.900, the Juneau Coastal Management Program.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the director's report to consider:

1. Whether the proposed use is appropriate according to the Table of Permissible Uses;
2. Whether the application is complete; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The commission shall adopt the director's determination on the three items above unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the commission adopts the director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Planning Commission
File No.: CU-44-95
August 4, 1995
Page 4

Per CBJ §49.15.300 (e)(1)(A thru C), Review of Director’s Determinations, the director makes the following findings on the proposed development:

1. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The proposed use is appropriate according to the Table of Permissible Uses. The use is listed at CBJ §49.25.300 section 5.100 for the D-5 zoning district.

2. Is the application for the requested conditional use permit complete?

Yes. The application contains the information necessary to determine that the development will comply with all of the conditional use permit requirements.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter.

Per CBJ §49.15.330 (d)(5)(A thru C), Director’s Review Procedure, the director makes the following additional findings:

4. Will the proposed development materially endanger the public health or safety?

No. Based on the preceding staff analysis, no evidence is found to indicate that the proposed development will materially endanger the public health or safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. Based on the preceding staff analysis, no evidence is found to indicate that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area.

6. Will the proposed development not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

No. Based on the preceding staff analysis, it is found that the proposed development is in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.

Planning Commission
File No.: CU-44-95
August 4, 1995
Page 5

Per CBJ §49.70.900 (b)(3), General Provisions, the director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

Yes. Based on the preceding staff analysis, it is determined that the proposed development will comply with the Juneau Coastal Management Program.

RECOMMENDATION

We recommend that the Planning Commission adopt the director's findings and grant the requested renewal of the conditional use permit. The approval is subject to the following conditions:

1. That the term of the permit shall be limited to June 12, 1998.
2. The applicant shall reseed the sites, consistent with the adjacent park lands, after removal of the modulars.

ALLOWABLE/CONDITIONAL USE APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

DPA No: <i>95-0664</i>	Project Identifier: <i>RENEWAL- MODULARS</i>	AU/CU App. No. <i>CU-44-95</i>	Hearing Date	Date Received: <i>6/27/95</i>
DESCRIBE WHY YOU NEED AN ALLOWABLE OR CONDITIONAL USE APPROVAL:				
Renew Conditional Use Permit # <i>CU-21-93</i> for two modulars at Floyd Dryden Middle School as enrollment continues to exceed building capacity.				
MODIFICATION OF EXISTING APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
EXISTING USE OF LAND AND/OR BUILDING(S):				
Middle school.				
PROPOSED USE OF LAND AND/OR BUILDING(S):				
Same.				
UTILITIES PROPOSED WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site				
SITE DIMENSIONS: Approximately 27 acres.				
Width _____ ft. Depth _____ ft. Total Area _____ S.F.				
DIMENSIONS OF STRUCTURE: (Outside Dimensions)				
Length <u>40</u> ft. Width <u>24</u> ft. Height <u>15</u> ft. Total Area <u>960 ea.</u> S.F.				
SIGNAGE		Style		Size
Existing:				
Proposed:				
LIGHTING		Style		Size
Existing:				
Proposed:				
PARKING				
Existing Spaces:		Proposed Spaces:		
PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR PLANNING COMMISSION ACTION AND WILL BE RETURNED TO THE APPLICANT FOR COMPLETION.				
REVIEW APPROVALS		ALLOWABLE/CONDITIONAL USE FEES		
	Initials	Date	Fees	Check No.
Buildings	_____	_____	Application Fees \$ <u>200</u>	_____
Engineering	_____	_____	Adjustment <i>SIGN FEE</i> \$ <u>50</u>	_____
Planning	_____	_____	Total Fee \$ <u>250</u>	_____
Date		Date		
		<u>6/27/95</u>		
		<u>6/27/95</u>		

Account code for permit charges: # 01-98-606-000-000-400.

200

ADDITIONAL INFORMATION REQUIRED:

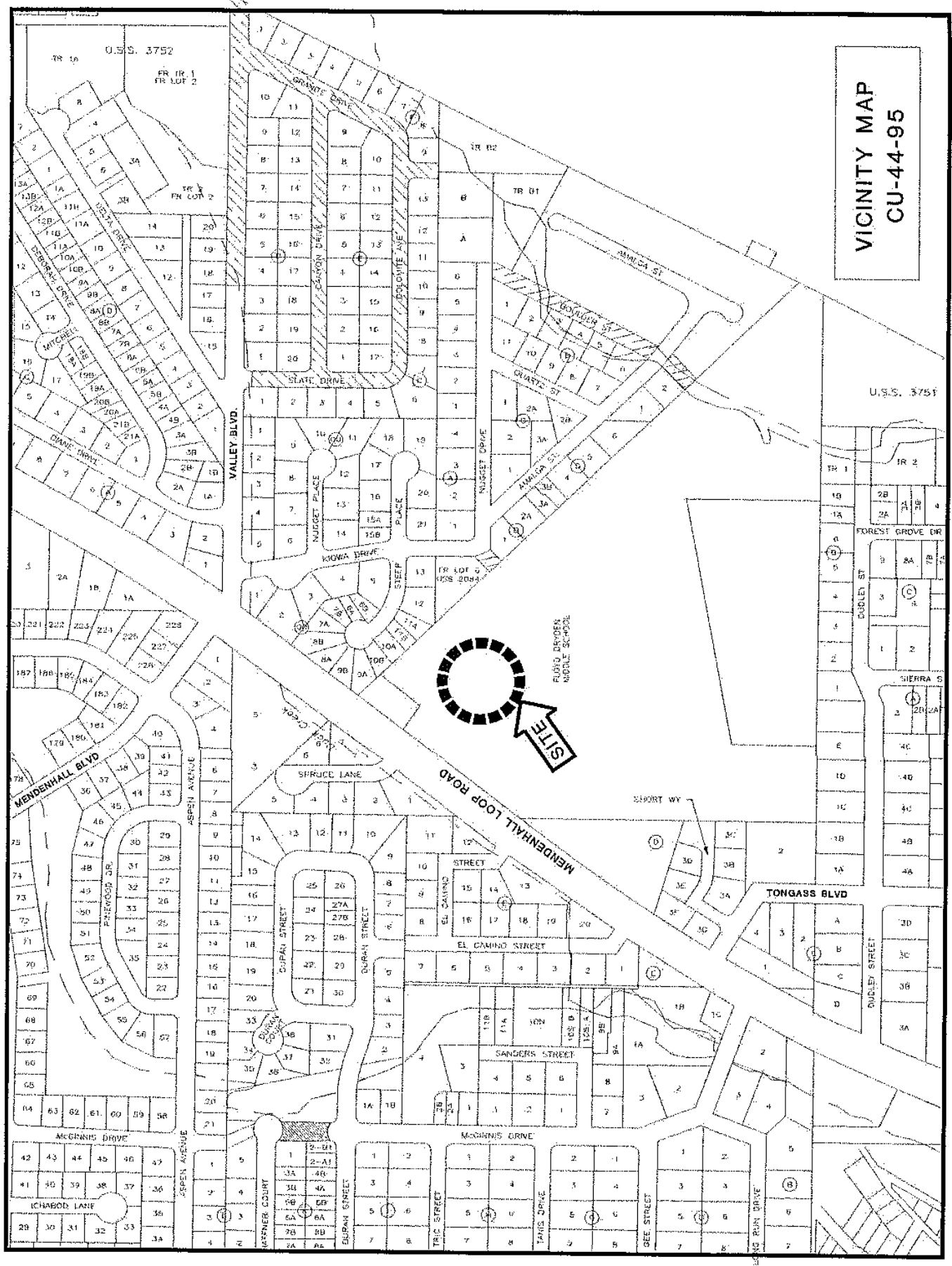
Each application for a Conditional Use Permit is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the commission the flexibility necessary to make decisions tailored to individual applications. The commission may stipulate conditions to mitigate external adverse impacts from the proposed use. If it is determined that these impacts cannot be satisfactorily overcome, the permit shall be denied.

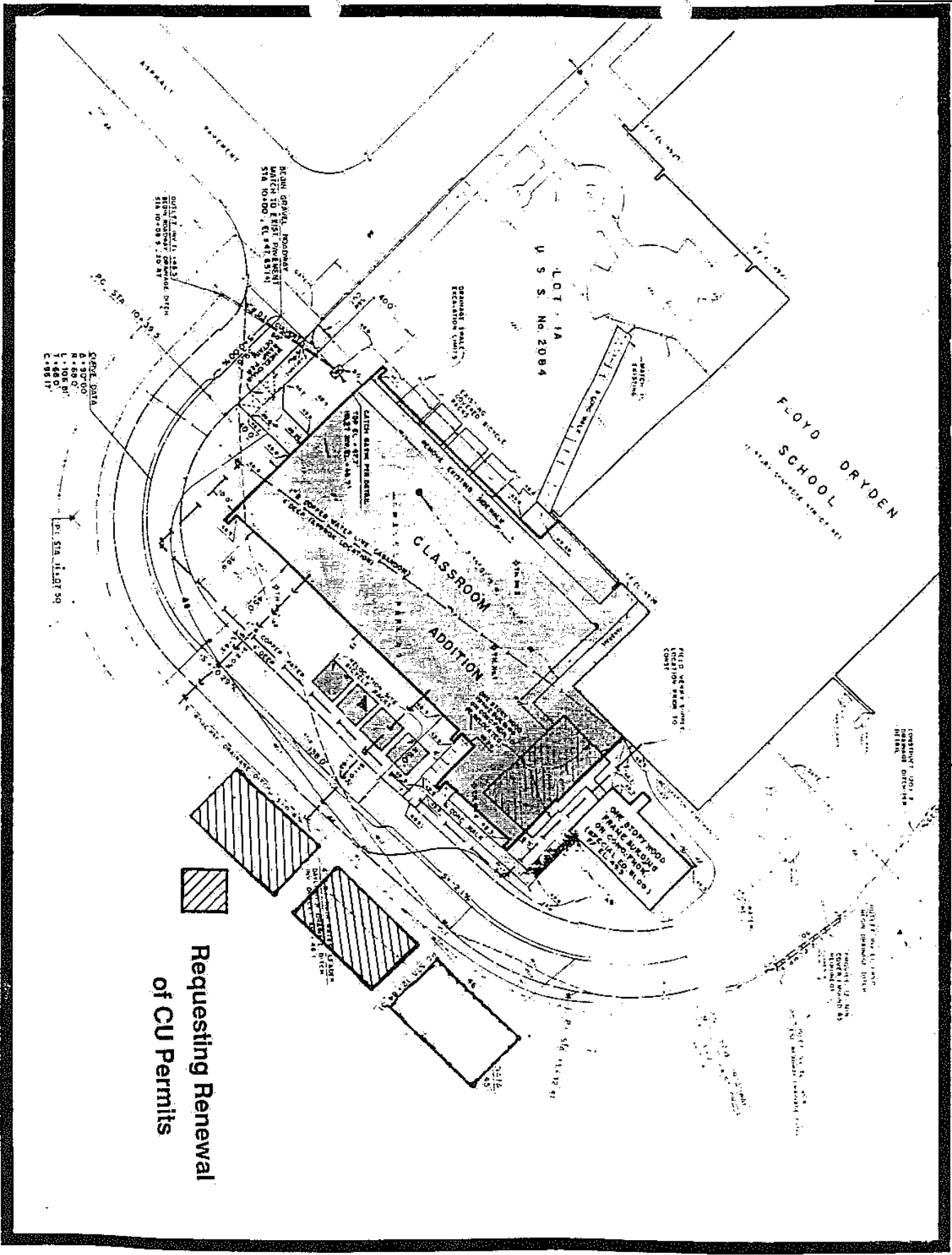
The following items are required for an application:

1. **PRE-APPLICATION CONFERENCE:** Prior to application submission, the applicant shall meet with Community Development Department staff to discuss the proposed development activity and the Conditional Use Permit procedure. Please call for an appointment.
2. A completed application form including payment of fee.
3. A letter describing the project for which you are seeking a permit.
4. Fifteen (15) copies of a site plan drawn to scale on 24" x 36" paper and providing the following information: (Number and size of site plan copies may be changed if approved by department staff.)
 - A. Existing and proposed structures.
 - B. Existing and proposed parking areas, including dimensions of the spaces.
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices.
 - D. Existing and proposed signage and lighting, including placement of buildings, dimensions, materials, color, and style.
 - E. Existing and proposed landscaping, including species identification, size, planting locations, and a cross section of installation.
5. The architectural design, including building elevations, of proposed structures shall be shown.
6. A Public Notice Sign, which the applicant shall place on the site at least seven (7) days prior to the public hearing. The sign shall describe the proposal and provide other pertinent information (CBJ 49.15.230(3)). The applicant should confer with department staff for details of sign posting. (A limited number of signs is available for rent from the CBJ.)

PLEASE NOTE: Incomplete applications, including nonpayment will not be scheduled for Planning Commission action.

VICINITY MAP
CU-44-95





DEVELOPMENT PERMIT APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

REVISION NO. DATE

PROJECT / APPLICANT INFORMATION	DPA No: 95-0664	CITY and BOROUGH of JUNEAU		Date Received: 6/27/95
	Project Name:			
	Project Description Renewal of conditional use permit CU-21-93 for 2 modular units at Floyd Dryden School			
	PROPERTY LOCATION			
	Street Address 3800 Mendenhall Loop Road		City / Zip Juneau, AK 99801	
	Subdivision (if known)	Survey (if known) 2084	Block / Tract (if known)	Lot (if known) 1A
	Assessor's Parcel Number (if known) 5-B24-0-100-002-0		Number of Parking Spaces Existing _____ Proposed _____	
	Use of Property Existing <u>Middle School</u> Proposed <u>Same</u>			
	PROPERTY OWNER <u>School District</u>			
	Property Owner's Name City & Borough of Juneau		Contact Person <u>Lon Hadfield</u>	Work Phone No. <u>463-1750</u>
Mailing Address 155 S. Seward, Juneau, Ak 99801		Home Phone No.	FAX No.	
PROPERTY OWNER CONSENT (Not required for building or engineering permits)			APPLICATION TYPE	
I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			OWNER'S INITIAL(S)	
X _____ Landowner Signature Date			AU	
X _____ Landowner Signature Date			CU	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.			VARIANCE	
			DESIGN REVIEW	
			SUBDIVISION	
			OTHER	
APPLICANT				
Applicant's Name Juneau School District		Contact Person Lon Hadfield	Work Phone No. 463-1750	
Mailing Address c/o Maintenance Facilities, 10014 Crazy Horse Dr., Juneau, AK		Home Phone No.	FAX No. 463-1727	
X _____ Applicant's Signature		Date of Application		

(OFFICE USE ONLY BELOW THIS LINE)

REQUIRED	CK	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	EST. FEE	ESTIMATED HEARING DATE	ACTUAL HEARING DATE	ESTIMATED DECISION OR APPROVAL DATE *	ACTUAL DECISION OR APPROVAL DATE
		ALLOWABLE USE APPROVAL								
		CONDITIONAL USE APPROVAL		<u>4/27/95</u>	<u>CU-44-95</u>	<u>200</u>				
		VARIANCE								
		DESIGN REVIEW APPROVAL								
		SUBDIVISION								
		STREET VACATION								
		SIGN APPROVAL								
		BUILDING PERMIT ES FT								
		WATER PERMIT								
		SEWER PERMIT								
		GRADING PERMIT								
		DRIVEWAY PERMIT								
		RIGHT-OF-WAY PERMIT								
		PUB. FAC. TRANSMISS. & EXCAV. PERMIT								
		OTHER - (Describe)								

* (assuming complete and accurate information provided by applicant)

STAFF	Zone	Total Lot Area	Required Setbacks Front _____ Back _____ Side _____ Other _____			
	Date rating form given to applicant _____			Planning Staff Initials <u>TM</u>		
	COMMENTS:					
	KEYWORDS					

RECEIVED JUN 26 1995



JUNEAU SCHOOL DISTRICT

CITY AND BOROUGH OF JUNEAU

10014 CRAZY HORSE DRIVE • JUNEAU, ALASKA 99801-8529 • (907) 463-1700

June 16, 1995

Mr. Tim Maguire
Community Development
155 South Seward Street
Juneau, AK 99801

RE: Renewal of Conditional Use Permit # CU-21-93
for two modular units at Floyd Dryden Middle School

Dear Tim:

We are requesting a renewal of the Conditional Use Permit for two modular units at Floyd Dryden Middle School for a number of reasons:

- Enrollment has increased steadily since the Conditional Use permits were issued in 1990 and 1991.
- Enrollment continues to exceed building capacity in spite of the opening of the new middle school. There are 215 sixth grade students scheduled to enter Floyd Dryden in August. Generally Floyd Dryden gets an additional 15-20 new students each year. That will bring the fall enrollment to 638-643 students. Building capacity is 600.
- Building activity suggests increased enrollment in the Floyd Dryden area and throughout the district. An example of this is the 20-home Killewich housing area near Melvin Park. A summary of building permit applications for 1995 is as follows:

TYPE OF HOMES	NO. OF UNITS
New single family detached homes:	80
New single family attached homes:	46
New duplexes:	20
New 3 and 4 family housing:	8
New 5 or more family housing:	29
Mobile home setups:	12
Residential additions or remodel:	8
Apartments added on to existing buildings:	<u>2</u>
TOTAL NO. OF DWELLING UNITS:	205

- Long-term building plans for low-income housing also indicate future growth and increased enrollment throughout the district.

THE CITY AND BOROUGH OF JUNEAU SCHOOL DISTRICT IS AN AA/EO EMPLOYER AND EDUCATIONAL INSTITUTION

- Greens Creek Mining has re-opened and plans to hire additional personnel. Associate Human Resource Representative Melanie Stone informed us that Greens Creek Mining currently employs approximately 100 people and that the company plans to hire 30-40 people in the next 6 months and additional workers next year. The school district will not know until school registration in August, at the earliest, if that will affect enrollment numbers at Floyd Dryden..
- Middle school curriculum offers special classes that require specific equipment such as that used in the instruction of science, technology, music, etc. It is very difficult to double-up and use specialty classrooms for more than one subject. Currently all the modulars and classrooms are being used for instructional purposes. A reduction in the number of classrooms would directly impact the curriculum at Floyd Dryden.

The Juneau School District is requesting renewal of the Conditional Use Permit for two modular units at Floyd Dryden Middle School. Present enrollment exceeds building capacity, Greens Creek Mining has re-opened, and current construction trends indicate increased enrollment.

An application for renewal of the permit is enclosed.

Thank you for your continued cooperation on these matters.

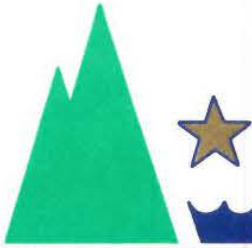
Sincerely,



Lon Hadfield
Maintenance Supervisor

Enclosures

RECEIVED JUL 31 1995



JUNEAU SCHOOL DISTRICT

CITY AND BOROUGH OF JUNEAU

10014 CRAZY HORSE DRIVE • JUNEAU, ALASKA 99801-8529 • (907) 463-1700

July 25, 1995

Mr. Tim Maguire
Community Development
155 South Seward Street
Juneau, AK 99801

Post-it® Fax Note	7671	Date	7/21	# of pages	2
To	Jeanette Budke	From	Tim Maguire		
Co./Dept.	School District	Co.	CDD		
Phone #		Phone #	586-5230		
Fax #		Fax #			

RE: Application for Conditional Use Permit # CU-44-95
for two modular units at Floyd Dryden Middle School

Dear Tim:

In a follow-up conversation about our request for the renewal of the conditional use permit for the modular units at Floyd Dryden Middle School, you requested more information about the enrollment at the new middle school.

Boundary changes, based on a two-year projected student enrollment, were made prior to the opening of Dzantik'i Heeni Middle School. As always variables exist as families move into and out of Juneau, and others move to different areas within Juneau. However, based on the projections done before the new middle school opened, enrollment at Floyd Dryden is expected to level off and student enrollment at DZMS is expected to increase by the end of the coming school year. Two charts showing total middle school enrollment and enrollment at the two middle schools this past year are attached.

As stated previously, the opening of Green's Creek and new housing projects suggest increased student enrollment. The cost of removing modulars and replacing them at a later date would be costly and time-consuming. We are hopeful, therefore, that the conditional use permit will be renewed.

Thank you for your cooperation on these matters.

Sincerely,

Lon Hadfield, Maintenance Supervisor

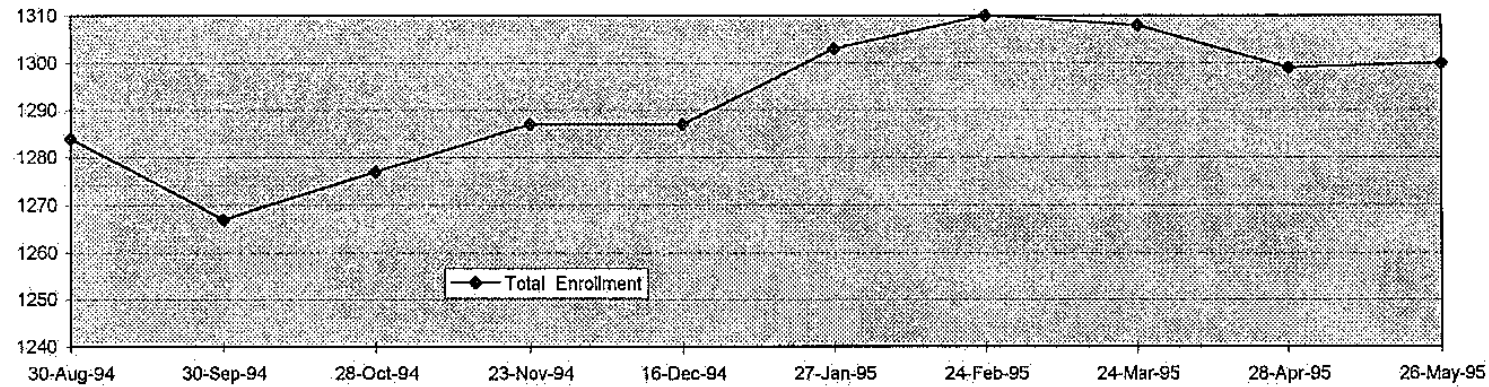
Attachments

THE CITY AND BOROUGH OF JUNEAU SCHOOL DISTRICT IS AN AA/EO EMPLOYER AND EDUCATIONAL INSTITUTION

**ENROLLMENT AT JUNEAU MIDDLE SCHOOLS
FOR THE 1994-95 SCHOOL YEAR**

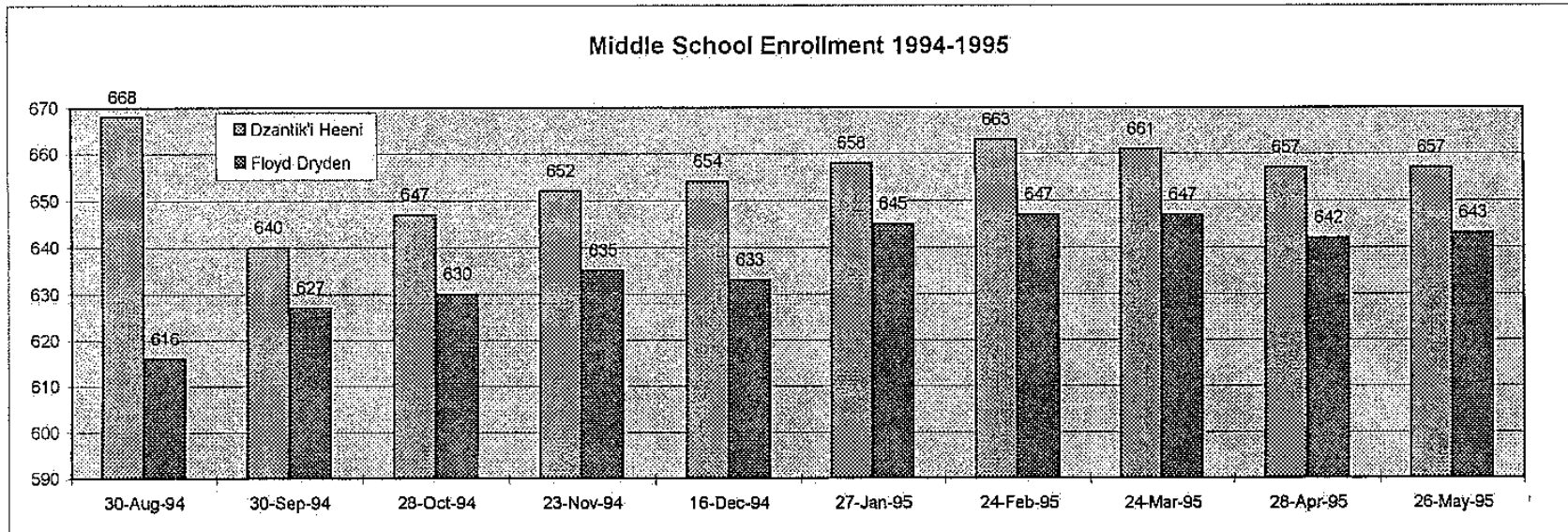
Date	Dzantik'i Heeni Capacity 700	Floyd Dryden Capacity 600	Total Enrollment
30-Aug-94	668	616	1284
30-Sep-94	640	627	1267
28-Oct-94	647	630	1277
23-Nov-94	652	635	1287
16-Dec-94	654	633	1287
27-Jan-95	658	645	1303
24-Feb-95	663	647	1310
24-Mar-95	661	647	1308
28-Apr-95	657	642	1299
26-May-95	657	643	1300

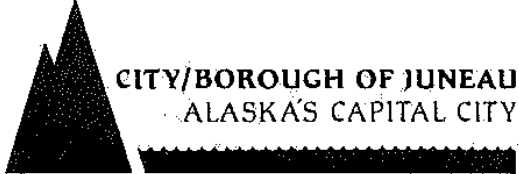
TOTAL MIDDLE SCHOOL ENROLLMENT FOR THE 1994-95 SCHOOL YEAR



ENROLLMENT AT JUNEAU MIDDLE SCHOOLS FOR THE 1994-95 SCHOOL YEAR

Date	Dzantik'i Heeni Capacity 700	Floyd Dryden Capacity 600	Total Enrollment
30-Aug-94	668	616	1284
30-Sep-94	640	627	1267
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23-Nov-94	652	635	1287
16-Dec-94	654	633	1287
27-Jan-95	658	645	1303
24-Feb-95	663	647	1310
24-Mar-95	661	647	1308
28-Apr-95	657	642	1299
26-May-95	657	643	1300





**PLANNING COMMISSION
NOTICE OF DECISION**
Date: November 19, 1998

File No.: USE98-00056

Joseph Mueller
Juneau School District, Facilities Office
9001 Mendenhall Loop Road
Juneau, AK 99801

Application For: Conditional Use Permit

Legal Description: Lot 1A, U. S. Survey 2084

Parcel Code No.: 5-B24-0-100-002-0

Hearing Date: October 27, 1998

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 20, 1998 and approved the continued use of two (2) modular buildings for classrooms at Floyd Dryden Middle School to be conducted as described in the project description and project drawing submitted with the application and with the following conditions:

1. That the term of the permit shall expire October 27, 2001.
2. The applicant shall reseed the sites after removal of the modulars, consistent with the adjacent park lands.

Attachment: October 20, 1998, memorandum from Tim Maguire, Community Development to the CBJ Planning Commission regarding USE98-00056.

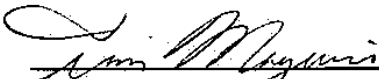
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c).

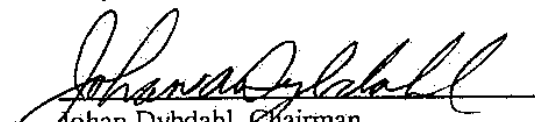
Effective Date: The permit is effective upon approval by the Commission.
(October 27, 1998)

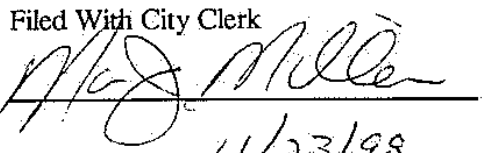
155 South Seward Street, Juneau, Alaska 99801

Juneau School District, Facilities Office
File No: USE98-00056
November 19, 1998
Page 2

Expiration Date: The permit will expire October 27, 2001. Application for permit extension must be submitted thirty days before the permit expires.

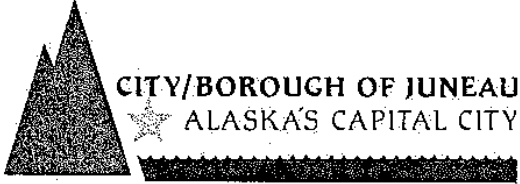
Project Planner: 
Tim Maguire, Planner


Johan Dybdahl, Chairman
Planning Commission

Filed With City Clerk

11/23/98

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA-trained architect or other ADA trained personnel with questions about the ADA: Department of Justice - 202-272-5434, or fax 202-272-5447, NW Disability Business Technical Center - 1-800-949-4232, or fax 360-438-3208.



**PLANNING COMMISSION
NOTICE OF DECISION (Revised)**
Date: November 8, 2001

File No.: USE2001-00037

Joe Mueller
c/o Juneau School District
10014 Crazy Horse Drive
Juneau, Alaska 99801

Application For: A conditional use permit to allow two modular school rooms at Floyd Dryden Middle School.

Legal Description: USS 2084, Lot 1A

Parcel Code No.: 5-B24-0-100-002-0

Hearing Date: October 23, 2001

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 12, 2001 and approved a conditional use permit to allow two modular schoolrooms at Floyd Dryden Middle School to remain on site. The project is to be conducted as described in the project description and project drawing submitted with the application and with the following conditions:

1. The applicant shall re-seed the sites after removal of the modular classrooms, consistent with adjacent lands.
2. The applicant shall periodically inspect the modular classrooms for shifting of foundation blocks and provide appropriate leveling if necessary. Any structural deficiencies caused by shifting foundation blocks, discovered during periodic inspections, must be addressed immediately.

Attachments: October 11, 2001 memorandum from Greg Chaney, Community Development to the CBJ Planning Commission regarding USE2001-00037.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c).

155 So. Seward Street, Juneau, Alaska 99801-1397

Joe Mueller
File No.: USE2001-00037 (revised)
November 14, 2001
Page 2 of 2

Effective Date: The permit is effective upon approval by the Commission
October 23, 2001

Expiration Date: None

Project Planner: Greg Chaney
Greg Chaney, Planner

Johan Dybdahl
Johan Dybdahl, Chairman
Planning Commission

Deputy
Filed With City Clerk

Deputy Clerk
12/3/01

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center I (800) 949-4232, or fax (360) 438-3208.

§ 1302.21 Center-based option.

- (a) **Setting.** The center-based option delivers the full range of services, consistent with § 1302.20(b). Education and child development services are delivered primarily in classroom settings.
- (b) **Ratios and group size.**
 - (1) Staff-child ratios and group size maximums must be determined by the age of the majority of children and the needs of children present. A program must determine the age of the majority of children in a class at the start of the year and may adjust this determination during the program year, if necessary. Where state or local licensing requirements are more stringent than the teacher-child ratios and group size specifications in this section, a program must meet the stricter requirements. A program must maintain appropriate ratios during all hours of program operation, except:
 - (i) For brief absences of a teaching staff member for no more than five minutes; and,
 - (ii) During nap time, one teaching staff member may be replaced by one staff member or trained volunteer who does not meet the teaching qualifications required for the age.
 - (2) An Early Head Start or Migrant or Seasonal Head Start class that serves children under 36 months old must have two teachers with no more than eight children, or three teachers with no more than nine children. Each teacher must be assigned consistent, primary responsibility for no more than four children to promote continuity of care for individual children. A program must minimize teacher changes throughout a child's enrollment, whenever possible, and consider mixed age group classes to support continuity of care.
 - (3) A class that serves a majority of children who are three years old must have no more than 17 children with a teacher and teaching assistant or two teachers. A double session class that serves a majority of children who are three years old must have no more than 15 children with a teacher and teaching assistant or two teachers.
 - (4) A class that serves a majority of children who are four and five years old must have no more than 20 children with a teacher and a teaching assistant or two teachers. A double session class that serves a majority of children who are four and five years old must have no more than 17 children with a teacher and a teaching assistant or two teachers.

TABLE TO § 1302.21(b)—CENTER-BASED GROUP SIZE

4 and 5 year olds	No more than 20 children enrolled in any class.
3 year olds	No more than 17 children enrolled in any double session class.
Under 3 years old	No more than 17 children enrolled in any class. No more than 15 children enrolled in any double session class.
Under 3 years old	No more than 8 or 9 children enrolled in any class, depending on the number of teachers.

- (c) **Service duration —**



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: June 13, 2019
File No.: CSP2019 0004

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Planning Commission recommendation to the City and Borough Assembly to approve a State project to construct two (2) roundabouts at the intersections of Mendenhall Loop Road with Stephen Richards Drive and with Floyd Dryden Middle School

Legal Description or ROW Names: Intersections of Mendenhall Loop Road at Stephen Richards Memorial Drive and at Floyd Dryden Middle School

Hearing Date: June 11, 2019

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 3, 2019. The Planning Commission recommended that the City and Borough Assembly approve the project with the following condition:

1. Applicant shall make all reasonable efforts during construction to alleviate the economic impact on businesses and residents affected by construction activities.

Attachments: June 3, 2019 memorandum from Amy Liu, Community Development, to the CBJ Planning Commission regarding CSP2019 0004.

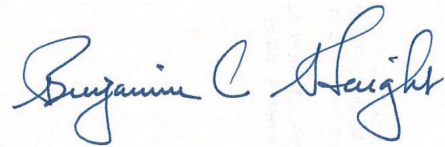
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020(b).

City and Borough Assembly
File No.: CSP2019 0004
June 13, 2019
Page 2 of 2



Project Planner: _____

Alexandra Pierce, Planning Manager
for Amy Liu, Planner
Community Development Department



Benjamin Haight, Chair
Planning Commission



Filed With Municipal Clerk

6/20/2019

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The State Government and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Ilsa Lund

From: Lauren Verrelli
Sent: Monday, February 3, 2025 3:55 PM
To: Ilsa Lund; George Schaaf
Subject: RE: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Hey Ilsa,

Geroge and I chatted and don't see the new use by the new Childhood Education Center will have an impact on the 2018 plan.

Let us know if you need anything else from us.

Best,

Lauren Verrelli (she/her)
Deputy Director
Parks & Recreation
Ph: 907-586-0423 | Fax: 586-4589



Physical: 1208 Glacier Ave. | Juneau, AK 99801
Mailing: 155 Heritage Way | Juneau, AK 99801

From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Wednesday, January 29, 2025 9:03 AM
To: Lauren Verrelli <Lauren.Verrelli@juneau.gov>; George Schaaf <George.Schaaf@juneau.gov>
Subject: RE: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Thanks for your response, Lauren!

Yes, that is the plan I was referring to. It's good to know that the structures are still being used and are not abandoned and vacant. Comments received by February 7th will be appreciated.

For some background and context: The Juneau School District (JSD) obtained a series of Conditional Use Permits (CUP) over the years between 1984 and 1998 to place to modular structures for three-year limits. It wasn't until 2001 that JSD sought to place the modular structures permanently on the site. The conditions attached to that last in CUP in 2001 were 1)When the structures were no longer needed, they would be removed and the area reseeded, and 2) That the modular structures would undergo regular inspections to verify structural integrity, and any issues would be addressed immediately.

Let me know if you would like any more information.

Gunalchéesh!

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: Lauren Verrelli <Lauren.Verrelli@juneau.gov>
Sent: Monday, January 27, 2025 2:55 PM
To: Ilsa Lund <Ilsa.Lund@juneau.gov>; George Schaaf <George.Schaaf@juneau.gov>
Subject: FW: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Hey Ilsa,

I'm looping in George for his input on how these changes may impact the plan. Is [this](#) the plan you're talking about? I am not sure what the plan is for the modular structures. I just know that currently the football team is still using them during the season.

When you need to have comments back by? George is out this week.

Thanks,

Lauren Verrelli (she/her)
Deputy Director
Parks & Recreation
Ph: 907-586-0423 | Fax: 586-4589



Physical: 1208 Glacier Ave. | Juneau, AK 99801
Mailing: 155 Heritage Way | Juneau, AK 99801

From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Monday, January 27, 2025 10:38 AM
To: Lauren Verrelli <Lauren.Verrelli@juneau.gov>
Subject: FW: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Hey Lauren,

I'm working on the Conditional Use Permit for CCTHITA to use Floyd Dryden for an early childhood education center. I am wondering if/ how that change of use/ occupants might affect the 2018 Adair Kennedy Master Plan. Will it be faster to bring the plan to fruition because there is no proposed use for the modular structures to the east of the school building where a second ballfield is proposed?

If you do have any feedback or input, please use the attached form for your comments. If I should be sending requests like these to someone else in your department, please let me know.

Gunalchéesh!

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: Ilsa Lund

Sent: Tuesday, January 14, 2025 12:56 PM

To: General Engineering <General_Engineering@juneau.gov>; Jeffrey Hedges <Jeffrey.Hedges@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>

Subject: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Hello CBJ Team,

We have received an application from Central Council of Tlingit & Haida Indian Tribes of Alaska (CCTHITA) for a Conditional Use Permit to put in an early childhood education center in Floyd Dryden with space for up to 132 children, not including after-school programs and tutoring services. As part of the review process, we are circulating the application amongst CBJ departments for input that will be provided to the Planning Commission for review.

Attached is the application. Later this week, you can also find information at the short-term planning web site: <https://juneau.org/community-development/short-term-projects>

We have the case scheduled for the Planning Commission meeting on February 25, 2025. If you could provide feedback by **February 7, 2025**, that would be very helpful. I've attached an Agency Comment Form for your use.

Warm regards,

Gunalchéesh!

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: [Theresa Ross](#)
To: [Ilsa Lund](#)
Subject: RE: Please Comment_ re: CCTHITA Education Center at Floyd Dryden
Date: Friday, February 7, 2025 9:22:44 AM
Attachments: [image.png](#)
[image.png](#)

Good morning,

I have no comments since I am currently reviewing a project there, I will just include my comments for any clarification I am need during plan review. As it stands as far as fire this is an educational building being used for education. So aside from verifying all systems are current, we may need to add single station smoke detectors to rooms being used for sleeping and to verify they have direct exits.

Thanks!

Theresa Ross, Fire Marshal
Capital City Fire Rescue
820 Glacier Avenue
Juneau AK 99801
907-586-5322 ext. 4323
<https://www.juneau.org/fire>



Ilsa Lund

From: Scott Gray
Sent: Thursday, February 6, 2025 4:28 PM
To: Ilsa Lund
Subject: RE: Please Comment_ re: CCTHITA Education Center at Floyd Dryden

Hi Ilsa,

Streets and Fleet do not have any concerns.

Thanks,

Scott

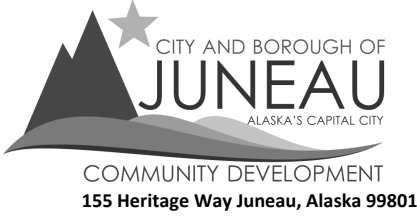
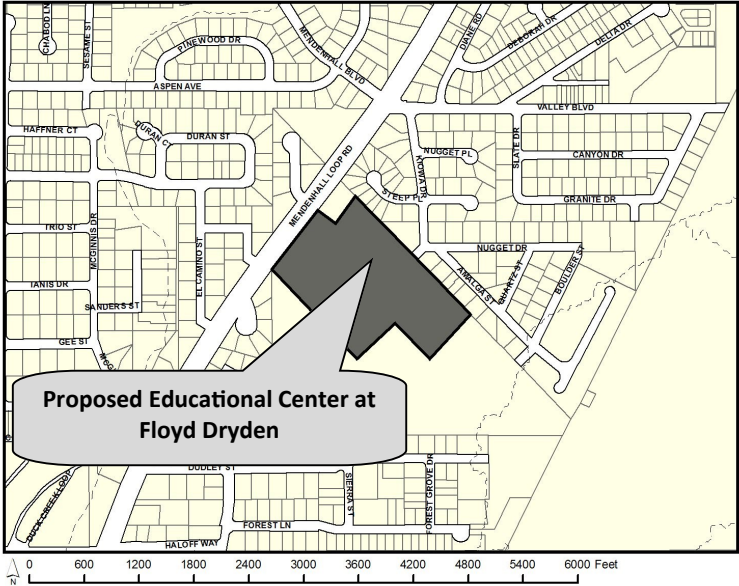


Scott Gray
Superintendent
Public Works Streets & Fleet
907-586-5256

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Conditional Use Permit application has been submitted for consideration and public hearing by the Planning Commission for *Tlingit & Haida Educational Center* at *Floyd Dryden* in a *D5* zoning district.

PROJECT INFORMATION:
Project Information can be found at:
<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:
Staff Report expected to be posted **Tuesday, February 18, 2025** at
<https://juneau.org/community-development/planning-commission>
Find hearing results, meeting minutes, and more here, as well.

Now through Feb. 6	Feb. 7 — noon, Feb. 21	HEARING DATE & TIME: 6:00 pm, Feb. 25, 2025	Feb. 26
Comments received during this period will be sent to the Planner, Ilsa Lund , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/85421744892 and use the Webinar ID: 854 2174 4892 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,
Phone: (907)586-0753 ext. 4128
Email: pc_comments@juneau.gov or ilsa.lund@juneau.gov
Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0021
Parcel No.: 5B2401000020
CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment P - Public Notice Sign Photo



PLANNING COMMISSION STAFF REPORT
TEXT AMENDMENT AME2025 0001
HEARING DATE: FEBRUARY 25, 2025

(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

DATE: February 14, 2025
TO: Mandy Cole, Chair, Planning Commission
BY: Irene Gallion, Senior Planner *Irene M. Gallion*
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: The proposed ordinance amends the Title 49 Land Use Code Relating to Rules of Construction, Permits, Equivalent Use Determinations, Determination of Minor Versus Major Developments, Accessory Dwelling Units, Caretaker Units, and Transition Zones.

STAFF RECOMMENDATION: Forward the proposed ordinance with a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- The Assembly requests substantive proposals for change, if warranted.
- The Assembly has directed the Planning Commission to provide a recommendation within 60 days of the Assembly action (January 27, 2025)
- The proposed ordinance conforms to the Comprehensive Plan.
- The proposed ordinance supports the Assembly’s Goal 1 Housing: Assure adequate and affordable housing for all CBJ residents.

ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed ordinance and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed ordinance to the Assembly. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this text amendment. The Commission’s recommendation will be forwarded to the assembly for final action.

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval

GENERAL INFORMATION	
Applicant	City and Borough of Juneau
Initiated By	Rob Dumochel, Special Project Planning Manager
Property Affected	Borough-wide

The Commission shall hear and decide the case per CBJ 49.10.170(d) Planning Commission Duties. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezoning, indicating compliance with the provisions of this title and the comprehensive plan.

DISCUSSION

Background – Attached memos summarize the proposed changes:

Attachment	Summary
A	<p>Title 49 Phase 1 Text Amendments, “First Wave” <i>This memo summarizes the proposed actions. These amendments focus on updates that are independent of the Comprehensive Plan rewrite process.</i></p>
B	<p>Accessory Dwelling Unit Text Amendment <i>Removes the Planning Commission requirement for review of ADUs on lots smaller than minimum lot size for the zoning district. Increases ADU size to 1,000 square feet or 40% principal structure size. Reduces rear yard setback to ten feet. Eliminates parking requirement for ADUs within one mile of a transit stop. Allows bungalow ADUs if they remain within the footprint of the bungalow.</i></p>
C	<p>Caretaker units in Industrial Areas <i>Limits caretaker units to 2,000 square feet. Eliminates the parking requirement for the caretaker unit.</i></p>
D	<p>Determining Uses – Major vs. Minor Developments <i>Underlying density is used to determine major versus minor development for multi-family structures. Characterized as “aggressive.”</i></p>
E	<p>Use Not Listed <i>Allows the Director to approve a use not listed, with the option of having the Commission weigh in.</i></p>
F	<p>Upzoning <i>Allows the Director to upzone a transition zone when certain triggers have been met, rather than requiring Planning Commission approval.</i></p>
G	<p>Amendments to Approved Permits <i>Creates an administrative pathway for minor amendments to permits, except for exploration and mining.</i></p>
H	<p>Rules of Construction <i>Codifies rules of interpretation for code.</i></p>

The Assembly has established an accelerated program for Title 49 rewrites.

- The Special Project Planning Manager has consolidated proposed changes based on previous work done by the Commission’s Title 49 Committee, The Assembly’s Title 49 Advisory Ad Hoc Committee, and Director input.
- A special contract attorney reviewed proposed changes.
- The Assembly’s Committee of the Whole reviewed the proposed changes and has established a 60-day timeline for Planning Commission input.

WORK SESSION DATES	
Assembly Title 49 Advisory Ad Hoc Committee (completed)	October 28, 2024
Assembly Title 49 Advisory Ad Hoc Committee (completed)	November 13, 2024
Assembly Committee of the Whole (completed)	January 27, 2025
Planning Commission (this meeting)	February 25, 2025
Assembly Meeting (planned)	April 7, 2025

Minutes and recording for the completed Assembly Title 49 Ad Hoc Committee meetings are not available.

Minutes for the January 27, 2025 Assembly Committee of the Whole meeting are not available. A recording is available at CBJ's Meetings and Agendas page: <https://juneau-ak.municodemeetings.com/> Time stamp 1:08. Meeting materials presented include the memos listed above, a PowerPoint (**Attachment I**) and a draft ordinance (**Attachment J**).

COMPLIANCE WITH TITLE 49

CBJ 49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

TITLE 49 - The proposed text amendment complies with CBJ Title 49 Land Use Code.

COMPLIANCE WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN The proposed text amendment conforms to the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
Accessory Dwelling Units			
3	14	Suburban	ADUs can achieve higher density while maintaining character.
4	28	Housing Need	Small units and high density developments are needed in the areas served by utilities.
10	130	IA10.2-IA2	Review zoning districts along transit corridors to increase density, including ADUs.
Caretaker Units			
10	135	10.7-DG2, F	Residential uses, other than caretaker units, should be prohibited in industrial zones.
	139	10.12-SOP1	Allow residences above water-dependent uses in Waterfront Commercial, and caretaker units in Waterfront Industrial.
Determining Uses/Use not listed			
18	227	Guiding Document	Analysis requires balancing relevant policies and looking wholistically at the situation, site and environs.
18	228	18.1-IA2	Revise code for timely implementation.
18	229	18.2-IA4	Establish procedures for public officials in plan review.
Upzoning			
3	15	Transition Area	When provided with sewer and road serviced, lands should be rezoned to the designated higher density.
3	19	3.1-IA1	Allow upzoning by petition from the property owner and approval by the Director.
10	133	10.5-SOP3	Allow appropriate densities in areas served by water and sewer.
Amending Permits			
4	40	4.6-IA4	Streamline residential permit.
Rules of Construction – No direct reference			

2016 HOUSING ACTION PLAN The proposed text amendment conforms with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary
Accessory Dwelling Units			
	47	Zoning Changes	Create a policy that directs new development into areas with existing infrastructure.
	47	Implementation	Streamline infill housing permitting.
	48	Implementation	Look at reducing setbacks and minimum lot sizes for ADUs
Upzoning			
	47	Zoning Changes	When infrastructure is expanded, rezoning should be automatic.

2015 ECONOMIC DEVELOPMENT PLAN The proposed text amendment CONFORMS with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary

2015 ECONOMIC DEVELOPMENT PLAN The proposed text amendment CONFORMS with the 2016 Housing Action Plan			
	38	Survey Results	Streamlining permitting would improve business climate.
	101	Local Government Role in Housing	Reduce permitting burden for housing development.

AGENCY REVIEW

Agency review is conducted through the Assembly’s process.

PUBLIC COMMENTS

The Assembly will accept public comments at their meeting on April 7, 2025.

FINDINGS

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Analysis: The proposed amendment balances the varied 2013 Comprehensive Plan policies and is generally consistent with the overall vision. The proposed amendment is supported by the 2016 Housing Action Plan.

Finding: Yes. The proposed text amendment complies with the 2013 Comprehensive Plan, the 2016 Housing Action Plan, and the 2015 Economic Development Plan.

2. Does the proposed text amendment comply with Title 49 – Land Use Code?

Analysis: The proposed amendment was drafted with the purpose and intent of Title 49 taken into account. If approved as drafted, it will be consistent with the above purposes.

Finding: Yes. The proposed development complies with the purpose and intent of Title 49.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to APPROVE the proposed text amendment to Title 49 Land Use Code Relating to Rules of Construction, Permits, Equivalent Use Determinations, Determination of Minor Versus Major Developments, Accessory Dwelling Units, Caretaker Units, and Transition Zones.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Memo: Title 49 Phase 1 Text Amendments, First Wave
Attachment B	Memo: Accessory Dwelling Unit Text Amendment
Attachment C	Memo: Caretaker Units in Industrial Areas
Attachment D	Memo: Determining Uses – Major vs. Minor Developments
Attachment E	Memo: Use Not Listed
Attachment F	Memo: Transition Zone Upzoning
Attachment G	Memo: Amendments to Approved Permits
Attachment H	Memo: Rules of Construction for Title 49

Item	Description
Attachment I	PowerPoint Presentation from January 27, 2025 Assembly Committee of the Whole
Attachment J	Draft Ordinance 2025-15, presented at the January 27, 2025 Assembly Committee of the Whole



City and Borough of Juneau
 City & Borough Manager's Office
 155 Heritage Way
 Juneau, Alaska 99801
 Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly
 FROM: Rob Dumouchel, Special Project Planning Manager
 THROUGH: Katie Koester, City Manager
 DATE: 14JAN25
 RE: Title 49 Phase 1 Text Amendments, First Wave

The rewrite of Title 49 – Land Use is a multi-phase project. Phase 1 began in August 2024 and is focused on updates that are not dependent on the upcoming rewrite of the Comprehensive Plan.¹ Text amendments related to housing and efficient permitting make up the bulk of the first wave of Phase 1 text amendment proposals.

This memo is a roadmap to the materials provided for the first wave of text amendments. The proposal touches on housing, code interpretation, and discretion. This memo provides a brief overview of the proposed amendments. Attached to this memo are a series of memos discussing technical elements of the text amendments. The table below lists memo topics, the sections of code involved, and a high-level description of the impacts:

Topic	Code Sections	Overview of Changes
Accessory Dwelling Units (ADUs)	Edits: 49.25.300 – Determining Uses and Table of Permissible Uses; 49.25.510(k) – Accessory Apartments; 49.40.210 – Number of Off-Street Parking Spaces Required; 49.65.630 – Bungalow Construction Standards; and 49.80.120 – Definitions Creates: 49.25.512 – Accessory Dwelling Units (ADUs)	Modernizes Accessory Apartment/ADU program and edits associated sections of Title 49
Caretaker Units in Industrial Areas	Edits: 49.25.250 – Waterfront Districts; 49.25.300 – Determining Uses and Table of Permissible Uses; 49.40.210 - Number of Off-Street Parking Spaces Required; 49.65.300 – Mobile Homes on Individual Lots; and 49.80.120 – Definitions Creates: 49.25.514 – Caretaker Units	Defines caretaker units and creates a framework for their administration and development
Use Not Listed	Edits: 49.20.320 – Use Not Listed	Allows the Director to make equivalent use determinations
Determining Uses	Edits: 49.25.300 Determining Uses	Removes select conditional use permit triggers
Transition Zones	Edits: 49.70.720 – Zoning Upgrade	Allows Director to upzone eligible Transition (T) zoned parcels
Amendments to Approved Permits	Creates: 49.15.160 – Amendments of Approved Permits & 49.15.130(d) regarding incomplete applications Deletes: 49.15.660 – Amendments to Approved Planned Unit Development Plan; 49.15.750 – Amendments to Approved Cottage Housing Development Plan; 49.15.970 – Amendments to Approved Alternative Residential Subdivision Plan	Creates a mechanism that allows for Director-level amendments for minor changes
Rules of Construction for Title 49	Replaces: 49.05.140 – Interpretation with 49.05.140 Rules of Construction Deletes: 49.80.110 – Rules of Construction	Improves existing code related to interpretation and construction of Title 49

¹ Phase 1 is envisioned to cover the following elements: **Wayward Code** – those sections of code that would be more appropriately located elsewhere in CBJ code; **Process Improvements** – amendments that streamline permitting by increasing clarity and efficiency; **Unfulfilled Aspirations** – concepts already vetted and approved by previous planning documents but not yet implemented; **Unfinished Business** – topics discussed at the Planning Commission level but not completed and advanced to the Assembly for consideration

The Ad Hoc Title 49 Advisory Committee was presented the concepts included in the text amendment at their October 28, 2024 meeting. The conversation was continued to their November 13, 2024 meeting where the Committee passed a motion to support the development of a text amendment containing all of the proposed concepts.² The text amendment was drafted in-house and preliminary legal review has been completed by the Title 49 Rewrite project’s contract attorney.

On February 3, 2024, the Assembly will have the ability to initiate the text amendment process in accordance with 49.75.410(b).³ Staff is recommending that a 60-day “shot clock” provision be included in the motion to initiate the text amendment process. This ensures a timely return of the amendment to the Assembly for consideration.

Staff Recommendation: Introduce ordinance with proposed text amendments to Title 49 and refer to the Planning Commission for a review to be completed within 60 days.

Attachments:

- Memo: Accessory Dwelling Units
- Memo: Caretaker Units in industrial Areas
- Memo: Determining Uses – Major vs. Minor Developments
- Memo: Use Not Listed
- Memo: Transition Zone Upzoning
- Memo: Amendments to Approved Permits
- Memo: Rules of Construction for Title 49
- Text Amendment – Ordinance 2025-15

² There was disagreement over how to best implement industrial caretaker units, however, the committee generally supports a limited apartment-type use in industrial districts, more information is provided in the attached caretaker text amendment memo.

³ 49.75.410 Text Amendments. (a) **Commission initiated.** The commission shall initiate an amendment to this title by holding a public hearing to consider whether it should recommend such amendment to the assembly. The director shall provide at least ten days public notice of the hearing (b) **Assembly initiated.** The assembly shall initiate an amendment to this title by referring such amendment to the commission for proceeding in accordance with subsection (a) of this section.



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FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: 14JAN25
RE: Accessory Dwelling Unit Text Amendment

A heightened focus on accessory dwelling units (ADUs) has emerged as an impactful strategy to increase housing in cities across America. ADUs can be attached or detached structures located on the same parcel as an existing residential use. They use a small-scale infill development pattern to bring a "gentle density" increase to neighborhoods and take advantage of existing infrastructure such as roads, sidewalks, transit, and utilities.

The proposed ADU text amendment builds on work begun by the Community Development Department (CDD), the Planning Commission, and the Title 49 Subcommittee. The text amendment is written with the intention of integrating current best practices for ADUs to remove barriers to development and streamline permitting. The text amendment is supported by numerous policies from the Comprehensive Plan adopted in 2013 and furthers 2024 Assembly Goal #1: Housing – Assure adequate and affordable housing for all CBJ residents.

ADU Background

ADUs can either be attached or detached dwellings, with complete independent living facilities for one or more people, which are an accessory use subordinate to a primary residential use. ADUs are commonly found as backyard cottages or apartments integrated into a larger existing home. They are a low impact way to add housing to existing neighborhoods. ADUs also tend to be more affordable in nature due to their smaller size.

Common motivations for building an ADU include housing a friend or family member, increasing property value, and gaining additional income⁴. ADUs have a broad appeal as dwelling units and have often been associated with the housing of aging family members and college students. In today's housing market, renters from wide economic and social backgrounds choose to rent ADUs for a variety of reasons.

ADUs are currently allowed in the City and Borough of Juneau (CBJ) through Title 49 – Land Use section 49.25.510(k) which calls them "accessory apartments." According to permit data collected by CDD from 2013 to 2024, ADUs have accounted for approximately 13% of the new housing units added in Juneau in the last decade. Under the current code, many ADUs must go to the Planning Commission for approval via a conditional use permit, however, ADUs seldom receive conditions that aren't already covered by existing codes or laws. In total, 11 use permits for ADUs have been considered by the Planning Commission since 2021. All have been approved, and only one ADU received conditions that went beyond a restatement of existing Title 49 regulations⁵. It can be inferred from this pattern that requiring conditional use permits for ADUs has not created meaningful value for the community and use permits have become an unnecessary barrier to housing development. Figure 1 below shows the pattern of ADU approvals by year from 1990 to 2024 (note that the permits are credited to the year in which they were applied for, not necessarily the year in which they were granted).

⁴ Volker, J. M., & Handy, S. (2023). Exploring homeowners' openness to building accessory dwelling units in the Sacramento metropolitan area. *Journal of the American Planning Association*, 89(1), 45-60.

⁵ One ADU was approved for a use permit but failed to secure a parking waiver in a separate vote which effectively denied the ADU. An appeal was filed with the Assembly and rejected; however, the Assembly has encouraged the applicant to reapply for a parking waiver. If the proposed ADU text amendment is approved, the subject ADU would not require a use permit or a parking waiver.

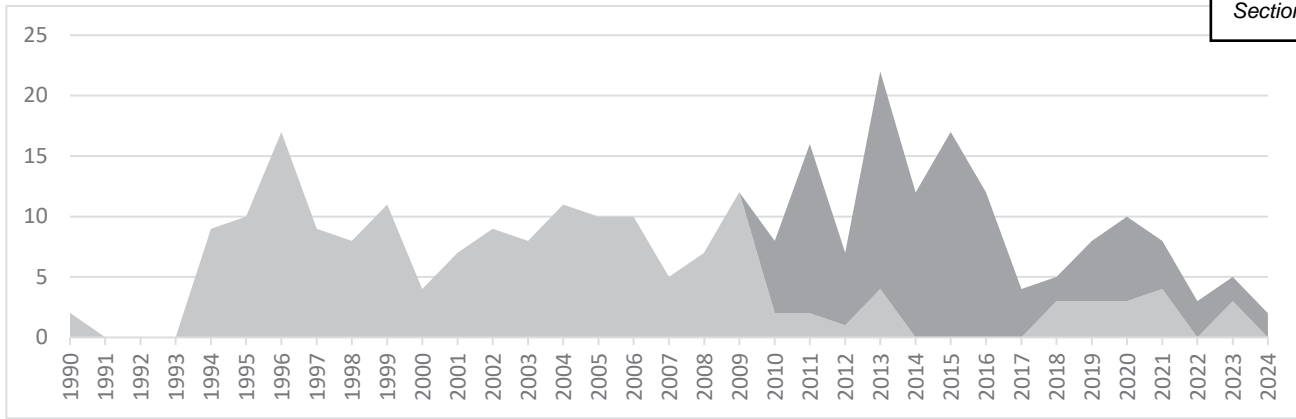


Figure 1: Approved ADU use permits (light gray) and accessory apartment permits (dark gray) by year 1990-2024

Barriers created by zoning codes, or perceived to be created by zoning codes, can deter the development of ADUs by homeowners who would otherwise have an interest in creating a unit – or encourage the development of unpermitted ADUs which can lead to unsafe housing conditions. The removal of barriers to ADU creation is a strategy that appears to have influenced a proliferation of ADUs in other parts of the country. To accelerate the use of ADUs for housing stock expansion, a growing number of state governments⁶ have taken the step to preempt local governments with ADU laws that remove barriers to development. For instance, California has passed multiple pieces of state-level ADU legislation that have been followed by a quadrupling of annual ADU permits from the early 2000s to 2022⁷. Alaska is unlikely to preempt the planning authority of local governments, however, CBJ is perfectly capable of mirroring current best practices for ADU regulations found throughout the rest of the country as a tool to incrementally relieve housing pressure.

Research has found that the most common barriers to ADU development include zoning, permitting, construction costs, and access to capital through lending institutions⁸. This proposed text amendment would relieve some of the zoning challenges and remove the need for applicants to go through the conditional use permit process in most cases. Matched with the Accessory Dwelling Unit Grant Program within the Juneau Affordable Housing Fund, there is a real potential for increased ADU development in Juneau. If the Assembly is interested in addressing issues related to lending, that is outside the scope of Title 49 and would be best handled through public/private partnerships between CBJ and lending institutions.

The basics of a high-performance ADU program include allowing ADUs by-right (meaning that they do not require a conditional use permit); streamlining approval processes; minimizing or removing parking requirements; allowing larger units; and not creating so many rules for ADUs that they become too expensive to build or are perceived as too difficult to build⁹. Another best practice is to create pathways for the permitting of illegal units through amnesty programs that agree to not penalize homeowners for past violations if they successfully bring their unpermitted ADU into compliance with current zoning and building codes¹⁰.

ADUs in Alaska

ADU ordinances in Alaska are on a spectrum from very restrictive to very permissive. On the restrictive end, cities allow only very small units, have owner occupancy requirements, high parking standards, and require use permits. On the permissive end, unit sizes are larger, parking requirements are either relaxed or absent, and approvals are ministerial. The Table below gives a brief overview of ADU programs in six different Alaskan municipalities.

⁶ California, Connecticut, Maine, New Hampshire, Oregon, Rhode Island, Utah, Vermont, and Washington

⁷ Wielga, C. (2023). Accessory Dwelling Units and the Preemption of Land Use Regulation. *Cityscape*, 25(3), 99-122.

⁸ Chapple, K., Wegmann, J., Mashhood, F., & Coleman, R. (2017). Jumpstarting the market for accessory dwelling units: Lessons learned from Portland, Seattle, and Vancouver; Volker, J. M., & Handy, S. (2023). Exploring homeowners’ openness to building accessory dwelling units in the Sacramento metropolitan area. *Journal of the American Planning Association*, 89(1), 45-60.

⁹ Alaska Municipal League. (2023). AkDU’s and Don’ts: A Practical Approach to Bringing Additional Dwelling Units to Alaska Communities.

¹⁰ Ramsey-Musolf, D. (2018). Accessory dwelling units as low-income housing: California’s Faustian bargain. *Urban Science*, 2(3), 89.

City/Borough	Size	Parking	Other Notable Features
Kodiak Island Borough	575 sq ft to 725 sq ft depending on zone district	2 spaces if <600 sq ft 3 spaces if >600 sq ft	Owner must live on site
Mat-Su Borough	Cannot exceed 50% of the principal dwelling floor area	Not addressed	Allow up to two ADUs
Palmer	300 sq ft minimum; 900 sq ft maximum; No more than 40% of gross floor area of principal dwelling	1 space for studio and one-bedroom units 2 spaces for two-bedroom units	Owner must live on site at least six months per year; Attached units must have interior door connecting units; ADU permits are non-transferrable
Petersburg	800 sq ft or: 40% of main dwelling on lots <.5 acres; 60% of main dwelling on lots >.5 acres and <1 acre; 80% of main dwelling on lots >1 acre	None required	ADU can't be taller than principal residence or closer to the front of the property
Sitka	800 sq ft	Parking plan required	Excluded from Short Term Rental usage; No RVs or mobile homes as ADUs; A conditional use permit can override general ADU requirements
Soldotna	750 sq ft	1 space	Excluded from Short Term Rental usage; No RVs or mobile homes as ADUs

ADU Text Amendment Proposal Highlights

The proposed text amendment removes the existing accessory apartment language in 49.25.510(k) and adds a new section for ADUs within Title 49. It also edits connected sections of code spread throughout Title 49. The proposal includes the following:

- Strikes 49.25.510(k) accessory apartments and replaces it with 49.25.512 accessory dwelling units which is written in plain English and is much shorter than the original code section.
- Reduces ADU permit application requirements contained within code which gives CDD more flexibility to adjust requirements within an evolving development context.
- Exempts ADUs from density calculations.
- Explains an ADU's relationship to a principal structure and acknowledges that a principal structure may become an accessory structure to a newly constructed single-family home.
- Exempts ADUs from minimum lot size and minimum lot width but retains maximum lot coverage and maximum height limits from the underlying zone district. Existing legal nonconforming structures converted to ADUs are not required to remedy noncompliance with lot coverage, setback, or height standards.
- Sets maximum size standard of 1000 square feet for detached ADUs.
- Sets maximum size standard of 1000 square feet or 40% of the principal residential structure, whichever is greater for attached ADUs.
- Sets a 10-foot rear setback for ADUs
- Removes on-site parking requirements for ADUs within one mile of a transit stop, as well as those created via conversion of an existing covered parking space.
- Defines Accessory Dwelling Unit in 49.80.120 – Definitions.
- Explicitly names ADUs as a minor development in single-family; multifamily; and commercial and mixed-use zone districts in 49.25.300 – Determining Uses.
- Principally permits ADUs in all residential districts.
- Allows attached ADUs within the allowable construction standards of a bungalow. The intent is that a conforming bungalow structure could have an ADU created within its footprint, to include the conversion of a covered parking area (i.e., garage).

Future Considerations

The proposed text amendment is intended to remove barriers and stimulate interest in ADU development. It is much less restrictive than the existing code for accessory apartments, but it is driven by best practices from other cities that have had success with ADUs as a housing strategy. If the Assembly chooses to adopt the changes, it would be advisable to analyze ADU interest and development patterns in the years following adoption. We may identify additional barriers to remove, or areas in the code where CBJ should become more restrictive. Additionally, ADUs should be a topic of discussion in the comprehensive plan update which begins soon.

Under the Juneau Affordable Housing Fund there is a grant program supporting ADU creation that provides up to \$16,000 to develop a new ADU. I recommend considering an increase to \$50,000 to match the per unit allocation for larger developments. A unit is a unit, regardless of whether it is an ADU or an apartment in a new multifamily complex. This increase has the potential to stimulate ADU development by property owners with less home equity or lower incomes. The Assembly could also consider a loan program to help potential ADU developers overcome the challenge of accessing the capital required to build a new unit.



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TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: 14JAN25
RE: Caretaker Units in Industrial Areas

It is not appropriate to build extensive residential developments in industrial areas, however, caretaker units are a common and appropriate accessory residential use for industrial developments that provide management and oversight to areas that would otherwise be unsupervised outside of regular working hours. Caretaker units are currently allowed, but they are not well defined and are time consuming to review and approve under the current code. The proposed text amendments would define caretaker units in Title 49, create a section of code specifically for administration of caretaker units, make caretaker units a principally permitted use in Waterfront Industrial (WI) and Industrial (I) zone districts, and address some related issues connected to parking and mobile homes.

Caretaker Units in General

Caretaker units are an accessory residential use in an industrial setting that allows an owner, caretaker, superintendent, security guard, or other similar type of employee to live on the site of a principal industrial use and provide oversight. Caretaker units can be attached or detached, but they are not intended to be the primary use of a parcel.

Caretaker units are a limited exception for a residential use in an otherwise industrial area. Industrial zone districts, by their nature, are not well-suited to high-density residential uses. These areas can be noisy, dirty, and host to numerous physical hazards. Whis this in mind, the Alaska Department of Conservation has regulations relevant to specific industrial uses (e.g., asphalt plants) that may preclude the development of either a caretaker unit or an industrial use, depending on which was established first. Industrial zones generally do not have the amenities one would expect in a residential setting like sidewalks and parks, nor do they have the feelings of community developed through interactions with neighboring households.

There are practical benefits to caretaker units. Having a resident caretaker can increase safety and security for the principal industrial use. It can also ensure a qualified individual is on site to handle emergencies or critical maintenance tasks that may occur at any time of day or night. This could also be viewed as providing a public safety benefit as a caretaker could intervene before a situation escalates into a public health and safety hazard.

Caretake Units within Adopted CBJ Plans and Code

The 2013 Comprehensive Plan is clear that residential uses are not desired within industrial areas, with the exception that caretaker facilities should be allowed (see table below).

Light Industrial (LI)	Residential units should be limited to caretaker units where the occupant works directly for or owns the business for which the occupant is caretaking.
Heavy Industrial (HI)	Residential office, retail, and personal service uses are not to be allowed, except that residential caretaker facilities should be permitted.
Waterfront Commercial/Industrial (WCI)	Residential uses would not be allowed in Waterfront Commercial/Industrial Districts, with the exception of caretaker units.

Within Juneau’s Code of Ordinances Title 49 – Land Use, caretaker units are not specifically defined, however, “single-family detached, one dwelling per lot” is listed in the table of permissible uses (49.25.300) as a principal use in Waterfront Industrial (WI) and Industrial (I) zone districts with the caveat that “a single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.” Despite being principally permitted, residential uses are not listed as a minor development in an industrial zone district under 49.25.300 which could be interpreted as a major development requiring a use permit. There is also code which allows for mobile homes to be used in lots outside of mobile home parks/subdivisions as a “caretaker residence” (49.65.300 (3)) which, in most cases, is a separate type of use from the industrial caretaker unit created by this proposed text amendment.

Title 19 – Building Regulations provides a construction-focused definition for “caretaker facilities” as a temporary building “used for occupancy as a dwelling unit on a temporary basis by a caretaker to protect property or equipment during construction or a limited time event.”

The Ad Hoc Title 49 Advisory Committee supported the concept of apartments in industrial zones but was not certain that caretaker units were the best way to implement them. Based on the Committee’s discussion, I considered different configurations like extending the accessory dwelling unit code to industrial zones or allowing an apartment with no other designations like caretaker or accessory dwelling. None of the alternatives would be aligned with the 2013 Comprehensive Plan. For that reason, I suggest approving the creation of a section for caretaker units at this time, and, if the updated Comprehensive Plan is more supportive of residential units within industrial zone districts, that we consider collapsing caretaker units into an accessory dwelling unit framework (the proposed 49.25.512 for Accessory Dwelling Units).

Caretaker Text Amendment Proposal Highlights

The proposed text amendment to Title 49 would define a caretaker unit and give guidelines for permitting and administration of this specific type of residence. The proposal:

- Creates a definition for “caretaker unit” under 49.80.120.
- Create a new code section for caretaker units – 49.25.514 which:
 - Requires a permit for development of a caretaker unit.
 - Requires caretaker units to be accessory to a principal use on the same parcel.
 - Limits residency to caretaker and family (family is defined in Title 49 as “one or more persons living as a single housekeeping unit”).
 - Exempts caretaker units from density requirements, similar to the proposal for accessory dwelling units.
 - Allows caretaker units to be up to 2000 square feet in net floor area (currently no limit exists).
- Clarifies that caretaker units are a minor development under 49.25.300 – Determining Uses
- Edits the Table of Permissible Uses to:
 - Create a line for “Caretaker units” which principally permits them in Waterfront Industrial (WI) and Industrial (I) zone districts.
 - Remove the option for “Single-family detached, one dwelling per lot” from Waterfront Industrial (WI), and Industrial (I) zone districts as it has been replaced by the new caretaker unit use.
 - Edits entry for “Caretakers mobile homes on individual lots” to instead read as “Mobile homes on individual lots outside of mobile home parks” which principally permits them in the Waterfront Industrial (WI) and Industrial (I) zone districts with the caveat that they are further governed by 49.65, Article III – Mobile Homes.
- Adds caretaker units in industrial zone districts to the rules for mobile homes on individual lots under 49.65.300.
- Adds a line for caretaker units in the parking use table and requires zero off-street parking spaces with the intent that total parking requirements for the parcel hosting a caretaker unit will be driven by the principal industrial use.

Future Considerations: Juneau is home to many highly seasonal industries which have temporary needs for housing of workers. While it would not be appropriate to pursue traditional multi-family housing developments within industrial zone districts, it would be worthwhile to investigate the allowance of Single-Room Occupancy (SROs) for seasonal worker housing in industrial districts. Additionally, with the news that the US Coast Guard is planning to homeport an icebreaker in Juneau, consideration for allowing barracks-style military housing in Waterfront Industrial (WI) is warranted. These discussions could be included as part of the upcoming Comprehensive Plan update process. If SROs and military housing become supported uses in the new Comprehensive Plan, a Title 49 text amendment would be required for implementation.



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TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: 14JAN25
RE: Determining Uses – Major vs. Minor Developments

The determination of major versus minor developments in Title 49 has created significant barriers to development, particularly the development of multifamily housing. This proposed amendment would improve interpretation of Title 49, but it would also aggressively expand the amount of housing that could be ministerially approved and greatly speed up the development process for multifamily projects.

Ministerial versus Discretionary Approval

When projects are submitted to the Community Development Department (CDD), they are divided into two major categories:

- (1) Minor developments which are projects that are principally permitted and allowed by-right through a ministerial approval process driven by objective standards in code and enforced under the authority of the CDD Director, and
- (2) Major developments which are projects that require discretionary review through a body like the Planning Commission who must make decisions at public meetings.

The determinations as to whether a use requires a discretionary use permit occurs in 49.25.300. The Table of Permissible Uses indicates if a use is allowed within a specific zone district and if it a principal use allowed by-right, or a conditional use requiring a discretionary permit. Further, 49.25.300(c)(3) defines minor developments by type of zoning district. If a project, even if it is a principal use, cannot fit within the definition of a minor use, it triggers a conditional use permit (i.e., a multifamily residence is principally permitted in multifamily residential districts unless it exceeds eight units, nine or more units require a conditional use permit).

Conditional use permits are a common discretionary permitting tool where the Planning Commission reviews a project based on objective code requirements, but also uses their collective expertise and judgement to include consideration of subjective matters when determining whether to approve a permit and apply conditions of approval (if any).

When drafting a zoning code, it is important to give thought as to whether a project should require a discretionary review or not. Every project that triggers a conditional use permit results in a significant amount of time and effort for CDD staff, as well as cost, anxiety/uncertainty, and potential conflict for applicants. If projects are meeting existing zoning standards and going through discretionary processes with no substantive conditions applied, it indicates that perhaps those projects should not be considered "major" developments in need of discretionary review. This text amendment is intended to reduce the number of projects that require discretionary review via a use permit by expanding the scope of minor developments within 49.25.300.

CBJ Use Permit Review

I conducted a review of Planning Commission meeting minutes spanning from January 2021 to September 2024. As part of that review, I collected data on all use permits which went before the Planning Commission. In total, 66 permits were agendized. 64 permits were approved, 1 permit was rejected, and 1 permit was withdrawn by the applicant. Many use permits were approved on consent (28%), and the Planning Commission

only made modifications to the Director’s recommendation in 21% of cases. Objections to approval are uncommon with only 15% of cases experiencing a split vote. What I infer from this information is that:

- (1) CDD staff is doing a good job in helping applicants develop projects with a high chance of success.
- (2) Many projects are unnecessarily subjected to the use permit process.

Digging deeper into the use permits, I reviewed Notices of Determination which contain the conditions, if any, imposed upon the approved projects. Most projects (~65%) have two conditions or less applied to their use permits, and most conditions are just restatements of existing code. Common existing regulations as conditions include restatements of parking requirements (49.40), required adherence to building code regulations (Title 19), restatements of setbacks (49.25.400), signage rules (49.45), and requirements for bear-resistant trash cans (36.20.056).

Determining Uses Text Amendment Highlights

The existing code for determining uses is restrictive and perceived as being somewhat confusing by staff and the public. The proposed text amendment would remove some unnecessary text, clarify that multiple minor developments can be combined and still considered a minor development, and modify dwelling unit restrictions from multi-family and commercial/mixed-use districts¹¹. The proposal:

- Removes outdated references to bedrooms leased on a daily or weekly basis
- Clarifies that a project can combine minor developments without triggering a major development determination
- Removes specific number limits for dwelling units in multifamily and commercial/mixed-use districts and instead relies on existing density and development standards

Multifamily Unit Cap Removal

The most ambitious portion of this proposal is the removal of specific number limits for dwelling units in multifamily and commercial/mixed-use districts. **This is a very aggressive move to support housing.** As currently written, this section designates multifamily housing projects that meet the allowable density in a district but exceed a specific number of units (i.e., over eight units in multifamily residential districts, or twelve in commercial/mixed-use districts) as major developments requiring a conditional use permit. The proposed text amendment removes the numerical standard and instead relies on the density standard of an underlying zone district. So, for instance, if a 20-unit multifamily residence is proposed for a 2-acre parcel in D-15, no use permit would be required because it does not exceed the underlying density standard of the zone district. Theoretically, a very large multifamily project could be permitted as a minor development as long as it meets existing standards in code. This increases certainty for housing developers and reduces carrying costs associated with waiting for discretionary permits.

¹¹ The amendments for accessory dwelling units and caretaker units would also make changes to this section of code.
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TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
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DATE: 14JAN25
RE: Use Not Listed

Title 49 – Land Use is very restrictive when it comes to making equivalent use-related decisions. Updating the use not listed regulations is intended to streamline permitting processes by giving the Community Development Director the ability to approve new and innovative land uses more quickly, a benefit to the business community and supported by 2024 Assembly goal #2 – assure Juneau has a vibrant, diverse local economy.

Title 49 has an existing mechanism for approval of uses not listed in the table of permissible uses that requires any equivalent use determination to go to the Planning Commission for a public hearing. In many cases, this is inefficient and a poor use of the Planning Commission's time and creates significant work for Community Development staff.

The proposed text amendment would allow the Community Development Director to consider a use not listed and approve it if it meets certain specific conditions. This is an important tool to be able to handle evolutions of business and local land uses that are similar to existing uses in a timely fashion.

The Director would have the option to refer an equivalent use determination to the Planning Commission, and Director-level decisions would be appealable to the Planning Commission. If there is no logical equivalent use connection, the use would need to be considered through a text amendment as outlined in 49.75.410.



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RE: Transition Zone Upzoning

The City and Borough of Juneau (CBJ) had the foresight to designate certain lands as eligible for upzoning¹² once certain triggers are met. This can be a powerful and effective tool to allow the CBJ to evolve as public water and sewer infrastructure is developed. Unfortunately, despite the clear intent to automatically upzone eligible parcels, no mechanism exists in code to allow that to happen. This issue was identified in the 2013 Comprehensive Plan and Implementing Action 3.1-IA1¹³ suggested that this tool would be better implemented if the Community Development Department (CDD) Director were granted the authority to approve the upzoning of transition zones. This proposed text amendment would give the CDD Director the ability to identify lands eligible for upzoning and ministerially enact the change, saving significant costs in both staff time and financial resources.

Transition Zones in General

Transition zones are governed by 49.70.700 et seq. which states the purpose of a transition zone as follows:

A transition zone is an overlay zone district for certain lands located in the urban service boundary that are set aside for higher density development after public water and sewer have been provided. Transition zones shall be identified as such by the designator "T" on the official zoning maps adopted pursuant to section 49.25.110. The overlay district specifies the current lower density zoning classification as well as the proposed increase. The increase in density will take place at the time public services are provided.

The current code requires either the applicant for a major development permit, or the Planning Commission, to initiate the upzoning of a transition zone and move it forward to a public hearing. Creating staff reports, hosting public meetings, and considering the action at a hearing is a significant amount of work for an action that was predetermined when the land's current zone was adopted.

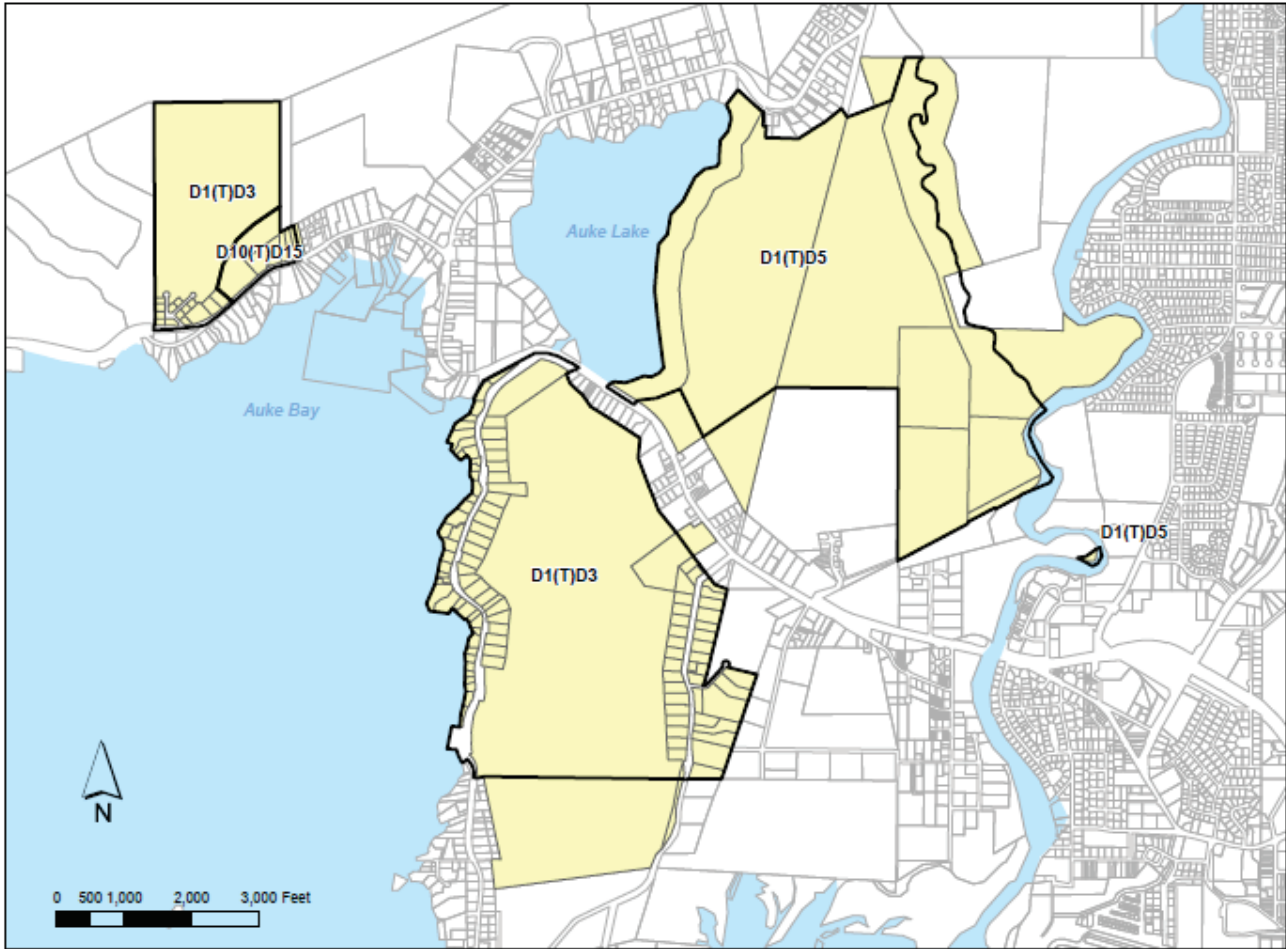
Current Transition Zoned Parcels Eligible for Upzoning

At this time, there are approximately 140 (T) zoned parcels located within the Auke Bay area. The vast majority are zoned to move from D-1 to either D-3 or D-5. While there are relatively few parcels that would be affected by this proposal, having a ministerial upzoning tool available will be very useful as the CBJ water and sewer system expands over time. Additionally, after the Comprehensive Plan update is completed, there is a high

¹² Title 49 refers to upzoning as a "zoning upgrade."

¹³ 3.1 - IA1 Revise the Land Use Code to allow, in zoning Transitional (T) zones, the higher density zoning designation to be allowed upon petition by the property owner and approval by the Community Development Department (CDD) Director, rather than by a rezoning action, provided that, as a condition of approval, the property owner ensures the provision of adequate municipal water and sewer service and provides adequate roadway capacity to serve the increased population. For example, a D-3 (T) D-10 could transition to D-10, and a D-1 (T) D-5 could transition to a D-5 as a zoning map amendment, with CDD Director's approval, upon the financial assurance of provision of the water, sewer, road and intersection capacity at a LOS D or better prior to its development.

likelihood that new transition zones will be identified, and it will be very advantageous to the CDD administration of those zone districts to have a ministerial approval process for the upzoning of eligible parcels.



Remaining Parcels within Transition Zones as of December 2024 (approx. 140 parcels)

Transition Zone Text Amendment Proposal Highlights

This proposed text amendment to Title 49 would grant the CDD Director authority to ministerially upzone parcels with the transition zone (T) indicator if they have met the eligibility requirements of having water and sewer utilities. The amendment does the following:

- Identifies the CDD Director as having the authority to upzone an eligible transition zone parcel.
- Allows the CDD Director to initiate the upzoning of an eligible transition zone parcel.
- Removes the procedure and hearing sections. **If a rezone exceeds the Director’s authority it will go through the normal rezoning process under 49.75.130.**

Future Considerations

It’s important to ensure that there is ongoing communication between CDD and the City Engineer regarding the expansion of utility services to new parcels throughout the CBJ. It may also be worthwhile to consider other potential triggers for upzoning transition zones in the upcoming Comprehensive Plan update process. As Juneau goes through stages of development and densification, there may be other logical reasons to automatically upzone areas in the future to achieve CBJ transportation and development goals.



City and Borough of Juneau
City & Borough Manager's Office
155 Heritage Way
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: 14JAN25
RE: Amendments to Approved Permits

It is common for development projects to require modifications after approval. Under current regulations, some relatively insignificant changes end up returning to the Planning Commission. Re-entry to a discretionary process can add months to a project and significant costs for the developer. The intent of this proposed text amendment is to give the Community Development Department (CDD) Director the ability to review minor amendments to approved permits without having to repeat a trip to the Planning Commission for review.

Currently, Title 49 has specific sections for amendments to approved planned unit development plans (49.15.660), approved cottage housing development plans (49.15.750), and approved alternative residential subdivisions plans (49.15.970). Title 49 does not, however, have a globally applicable pathway for amendments to approved permits. This text amendment would create a new section for "Amendments of approved permits" that applies to all zoning permits (except for exploration and mining), clarifies the differences between minor and major amendments, and allows the CDD Director to approve minor amendments. Major amendments would return to the original permit approval authority and would be required to repeat noticing and public hearing steps required for the original permit.

Proposal Highlights

The proposal includes the following:

- The creation of 49.15.160 – Amendments of Approved Permits.
- The deletion of 49.15.660, 49.15.750, and 49.15.970 as they will be replaced by 49.15.160.
- Creation of an amendment request/application process.
- Defines a minor amendment as:
 - Not expanding or intensifying uses or structures beyond original approval;
 - Having an insignificant change in the outward appearance of the development;
 - Having an insignificant impact on surrounding properties;
 - Having an insignificant impact on the location of buildings;
 - Not impacting a feature that was the basis for conditions of approval or a feature specifically considered by the review authority in granting the original permit;
 - Not reducing parking below the original requirement; and
 - Not creating a delay of more than one year for the project's completion.
- Director has 15 working days to determine if an amendment is minor or major.
- Requires major amendments to return to the same review authority as the original approval with the same public notice and hearing requirements as the original permit.
- Exploration and mining permits are an exception to this new section, they are governed by Chapter 49.65 Article I – Exploration and mining permits.
- Appeal language is not included as 49.20.110 already covers appeals to the planning commission.
- Creation of 49.15.130(d) that clarifies how to deal with an incomplete application.



City and Borough of Juneau
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155 Heritage Way
Juneau, Alaska 99801
Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly
FROM: Rob Dumouchel, Special Project Planning Manager
THROUGH: Katie Koester, City Manager
DATE: 14JAN25
RE: Rules of Construction for Title 49

In a zoning code, like Title 49, the rules of construction contain guidelines for how words are to be used, how the code is to be interpreted, and how to resolve conflicts between different elements of the code. Rules for construction are commonly found in either the general provisions at the beginning of the code, or they are packaged with the definitions section. At this time, CBJ's rules of construction are located in section 49.80.110 which immediately precedes 49.80.120 – Definitions. I'm uncertain of the context in which 49.80.110 was created. It is not very comprehensive and does not add much value to those interpreting Title 49.

I am recommending the deletion of 49.80.110 – Rules of construction and the replacement of 49.05.140 – Interpretation with the creation of 49.05.140 - Rules of construction which is significantly more comprehensive. The proposed update provides more relevant definitions and resolves common ambiguities that arise in code interpretation which is intended to allow for the more efficient review and approval of permits.

The proposed update includes guidelines for the following:

- General interpretation of Title 49
- Cross reference to CBJ 01.15.020 regarding word usage and grammatical rules
- The use of lists
- Measurement of time
- Rules of rounding for fractions
- References to other documents and regulations
- The delegation of authority in the zoning code
- How to solve conflicts between provisions

Having a clear and comprehensive set of rules of construction is an important tool for the Community Development Department. This upgrade will allow the Director and staff to more efficiently and consistently interpret Title 49 which will likely improve the experience for permit applicants and reduce wait times for permit approvals. A future amendment will address the related concept of "rules of measurement" which are provisions that set rules for how developments are measured for compliance with zoning regulations (i.e. height, distances, etc.).

Title 49 Rewrite Project Phase 1 Wave 1 Amendments

27JAN25

Rob Dumouchel, Special Projects Planning Manager

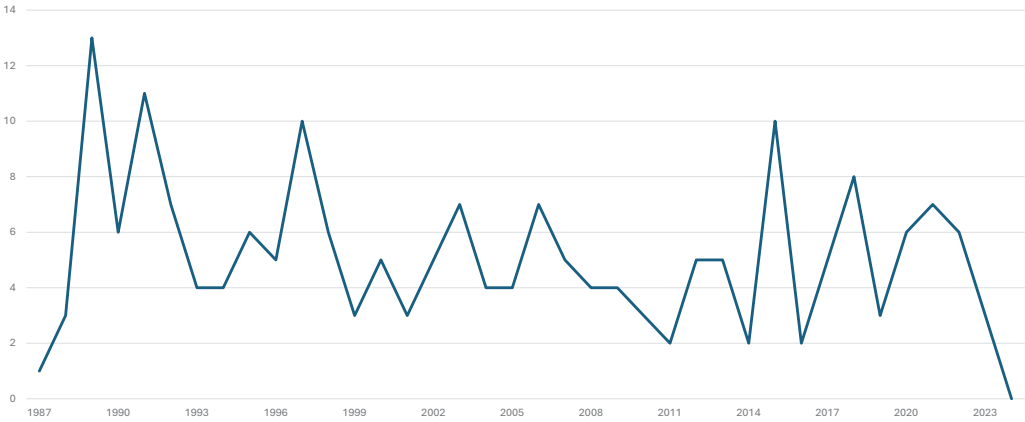
Presentation Agenda

- Title 49 Basics
- Title 49 Rewrite Project Overview
- Amendment Elements
- Next Steps

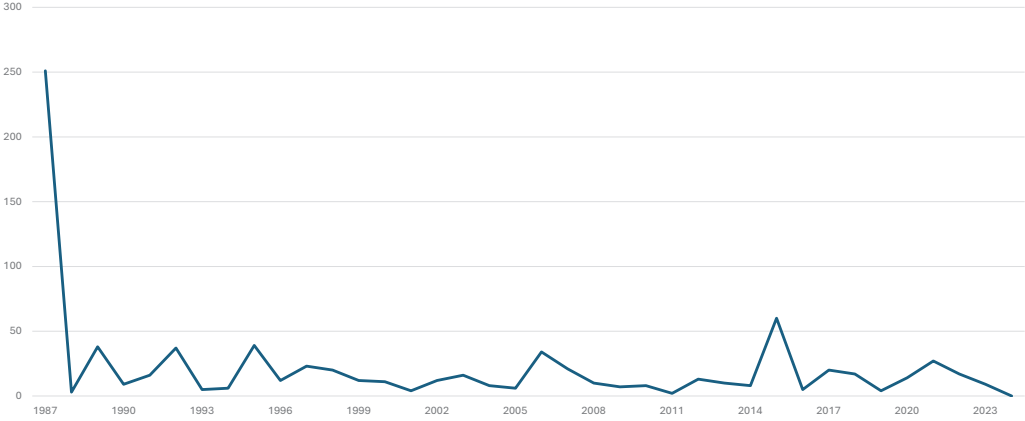
What is Title 49?

- Title 49 is the Land Use portion of CBJ’s Code of Ordinances
- Title 49 covers zoning districts, allowable uses, parking, dimensional standards, subdivisions, permits, and much more
- The current iteration of Title 49 was adopted in 1987 and has been amended since approximately 193 times in the last 38 years!

T49 Amendments per Year, 1987-2024



T49 Elements Amended per Year, 1987-2024



Title 49 Purpose and Intent (49.05.100)

- **Enact the comprehensive plan**
- Grow CBJ in a way that is aligned with the values of its residents
- Maximize benefits of growth while minimizing the negative impacts
- Ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities
- Promote public health, safety, and general welfare
- Provide adequate open space for light and air
- Recognize the economic value of land and encourage its proper and beneficial use

Title 49 Organization

T49 has 17 Chapters, 72 Articles, 10 Divisions, and ~374 sections

49.05 Establishment	49.50 Parks, Open Space and Vegetative Cover
49.10 Administration and Compliance	49.55 Financial Responsibility
49.15 Permits	49.60 Bonus Procedures and Policies
49.20 Appeals, Variances and Interpretations	49.65 Specified Use Provisions
49.25 Zoning Districts	49.70 Specified Area Provisions
49.30 Nonconforming Situations	49.75 Rezonings, Special Standards, Regulations and Text Amendments
49.35 Public and Private Improvements	49.80 Definitions
49.40 Parking and Traffic	49.85 Fees for Land Use Actions
49.45 Signs	

Why Rewrite Title 49?

- Title 49 has been identified as a barrier to development and Assembly goals
- Title 49 has aged to the point that a large-scale overhaul/rewrite is a very appropriate action

Title 49 Project History

- Title 49 Rewrite identified as a project at **2023** Assembly retreat
- Committee meets for first time **October 2024**
- Project approved **June 2024** in FY25 budget
- Contract Attorney joins team **October 2024**
- Special Project Planning Manager joins CBJ **August 2024**
- Committee meets **November 2024** and supports Phase 1 Wave 1 Amendments going to Assembly for consideration
- Ad Hoc Title 49 Rewrite Advisory Committee appointed **September 2024**
- Phase 1 Wave 1 Amendments presented to Assembly Committee of the Whole **January 2025**

Project Org Chart



Ad Hoc Title 49 Rewrite Advisory Committee

- Created in September 2024 to provide strategic advice and help advance a rewrite of Title 49

- Members:
 - Gregory Smith, CBJ Assembly, Committee Chair
 - Mandy Cole, CBJ Planning Commission, Committee Vice-Chair
 - Maggie McMillian, Juneau Chamber of Commerce
 - Lorraine DeAsis, Tlingit-Haida Regional Housing Authority
 - Corey Baxter, Building Trades Representative
 - Rich Harris, Development Community Representative
 - Bill Heumann, Development Community Representative

Title 49 Project Vision

The updated Title 49 will be **streamlined and easy to understand**, improving the experiences of the public, the development community, and CBJ staff. Title 49 will be **modernized** to better meet current needs and set CBJ up for success in the future.

Title 49 Project Goals

- Reduce Uncertainty for Applicants
- Remove Unnecessary Barriers to Development
- Reduce Time to Acquire Permits

Tactics

- Remove regulations that provide minimal value and create unnecessary burdens on applicants and staff
- Create objective standards in code that can be applied by staff as much as reasonably possible
- Delegate authority to the CDD Director when reasonable to save time in decision-making

Title 49 Project Phases – Initial Vision

Phase 1

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Phase 2

Transformative Change
Restructuring
Translation to Plain English

Title 49 Project Phases – Updated Vision

Phase 1

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Short- to Mid-Term Needs

Phase 1.5

Transformative Change
Restructuring
Translation to Plain English

Technical Rewrite

Phase 2

Comp Plan Alignment

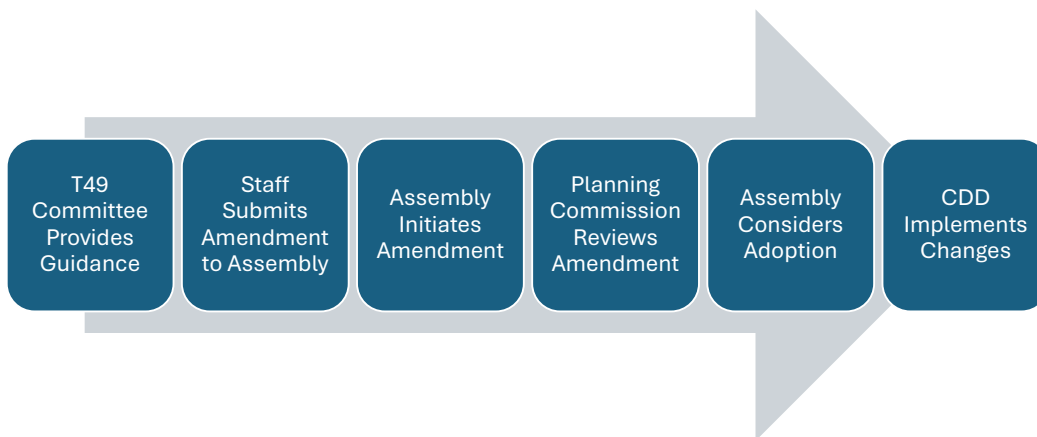
Post-Comp Plan Updates

Phase 1 - Prioritizing Considerations

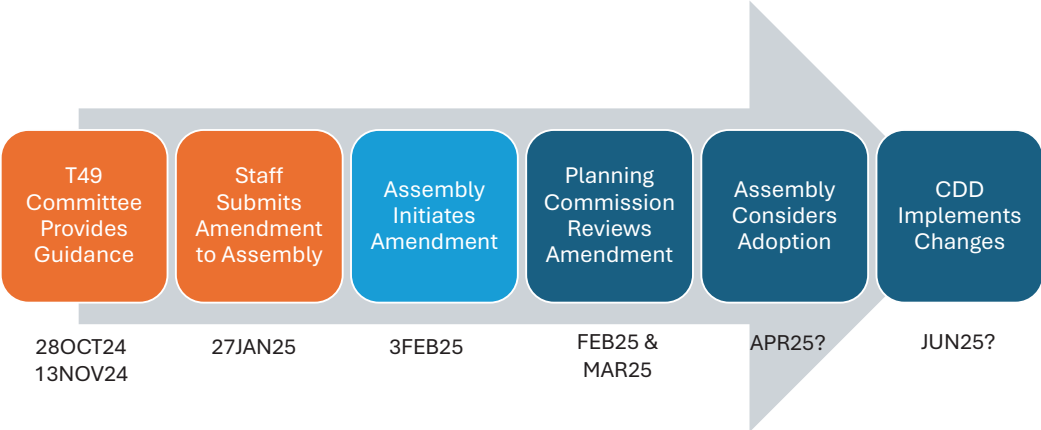
- Is it supported by the 2013 Comprehensive Plan and/or other adopted plans?
- Does it streamline a process and/or remove barriers to reasonable development?
- Does it move forward one or more Assembly Goals?

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Public Process



P1W1 Public Process Progress



P1W1 Elements

- Accessory Dwelling Units
- Caretaker Units
- Determining Use – Major vs. Minor
- Use Not Listed - Equivalent Use Determinations
- Transition Zones
- Adjustments to Approved Permits
- Rules of Construction

Accessory Dwelling Units (ADUs)

- Concept: Loosen regulations on ADUs to allow for an easier pathway to development of a popular, low impact housing type that can have a significant cumulative impact on housing availability over time.

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Accessory Dwelling Units (ADUs)

- Proposed amendment concept:
 - Creates ADU definition to replace accessory apartment
 - Exempts ADUs from density calculations
 - Exempts ADUs from minimum lot size and width
 - Maximum detached ADU size of 1000 square feet
 - Maximum attached ADU size of 1000 square feet or 40% of the principal residential structure, whichever is greater
 - 10-foot rear setback for ADUs, unless zone allows less
 - Removes parking requirements within 1 mile of transit
 - Principally permits ADUs in all residential districts
 - Makes ADUs a minor development under 49.25.300
 - Allows attached ADUs within the footprint of a bungalow

Caretaker Units

- Concept: Create a more formal structure for caretaker units which exist in Title 49 as a TPU footnote and have virtually no rules, definitions, or standards
- T49 Advisory Committee suggested seeking alternative solutions, however, this is the only pathway supported by the existing comprehensive plan

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Caretaker Units

- Proposed amendment concept:
 - Creates definition for caretaker unit
 - Exempts caretaker units from density calculations
 - Allows caretaker units up to 2000 square feet (currently unlimited)
 - Makes caretaker units a minor development under 49.25.300
 - Adds caretaker units to the TPU in WI and I zone districts
 - Cleans up other references in code (i.e. mobile homes 49.65.300)

Determination of Use – Major vs Minor

- Concept: Modify language to make 49.25.300(c)(3) less confusing and avoid triggering use permits for projects that would otherwise easily meet existing objective development standards.

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Determination of Use – Major vs Minor

- Proposed amendment concept:
 - Removes references to bedrooms leased on a daily or weekly basis
 - Clarifies that a project can combine minor developments without triggering a major development determination
 - **Removes specific number limits for dwelling units in multifamily and commercial/mixed-use districts and instead relies on existing density and development standards**
 - Specifies ADUs are minor developments in residential districts
 - Specifies that caretaker units are minor developments in industrial districts

Use Not Listed

- Concept: Create a streamlined mechanism that allows for Director-level approval of equivalent use determinations which speeds up approval process for new businesses. Uses not reasonably equivalent to existing uses must be considered by the Planning Commission.

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Use Not Listed

- Proposed amendment concept:
 - Allows the CDD Director to consider a use not listed and approve it if it meets certain specific conditions
 - Director can instead refer to Planning Commission at their discretion
 - Director decisions are appealable to the Planning Commission
 - If a use does not meet conditions, it would have to go through a text amendment process to be added to the TPU

Transition Zones

- Concept: Title 49 has zones that are pre-approved for upzoning but there is not an efficient mechanism to make the change when eligible, this amendment would create a streamlined process for upzoning (T) zoned parcels

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Transition Zones

- Proposed amendment concept:
 - Allows the CDD Director to initiate and ministerially approve upzoning of (T) parcels
 - Confirms that rezones of (T) parcels that differ from the pre-determined future zone, must go through the normal rezoning procedure in 49.75.130

Adjustments to Approved Permits

- Concept: Create a globally applicable permit modification mechanism for Title 49 which will allow for more flexibility in making minor modifications to dynamic development projects

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Adjustments to Approved Permits

- Proposed amendment concept:
 - Creates a section for amendments of approved permits
 - Creates a definition for a minor amendment
 - Allows CDD Director to approve minor amendments
 - Routes major amendments back to the body that originally approved the permit complete with any public notices and public hearings
 - Deletes sections made redundant by this new section

Rules of Construction

- **Concept:** Improve the ability of planning commission, staff, developers, and the public to interpret Title 49 through clear and comprehensive rules of construction
- Rules of construction contain guidelines for how words are to be used, how the code is to be interpreted, and how to resolve conflicts between different elements of code

Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business

Rules of Construction

- Proposed amendment concept:
 - Deletes 49.80.110 – Rules of construction and replaces 49.05.140 – Interpretation with a new 49.05.140 – Rules of Construction
 - Addresses word usage issues via cross reference to 01.15.020
 - Addresses usage of lists
 - Clarifies measurement of time
 - Sets rules for rounding of fractions
 - Discusses delegation of authority in T49
 - Sets rules for solving conflicts between provisions

Next Steps

- Phase 1 Wave 1 Amendments will be introduced to the Assembly on February 3rd for consideration of text amendment initiation
- Staff recommends giving the Planning Commission a 60-day shot clock to review and comment on the proposed amendments
- Staff expects to return to the Assembly in April to begin the process of considering amendments for adoption

Looking Forward at the Big Picture

- Staff and the project’s contract attorney will continue to work on a full technical rewrite of Title 49 with strategic advice from Title 49 Advisory Committee
- When the Comprehensive Plan Update project is conducting public engagement, the Title 49 Rewrite project will also participate
- When the Comprehensive Plan is complete, Phase 2 amendments will begin

Staff Recommendation Preview

- Initiate proposed text amendments at the February 3rd Assembly meeting and give the Planning Commission 60 days to review and comment

Thank You!

Rob Dumouchel

rob.dumouchel@juneau.gov

<https://juneau.org/manager/t49rewrite>

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Presented by: The Manager
Presented: 01/27/2025
Drafted by: Birch Horton

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-15 vCOW

An Ordinance Amending the Title 49 Land Use Code Relating to Rules of Construction, Permits, Equivalent Use Determinations, Determination of Minor Versus Major Developments, Accessory Dwelling Units, Caretaker Units, and Transition Zones.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 49, Land Use, is amended to read:

TITLE 49 LAND USE

...

49.05.140 Rules of construction. Interpretation.

(a) General interpretation.

(1) All words, terms, and provisions in this title shall be interpreted in a manner consistent with the purpose and intent set out in CBJC 49.05.100.

(2) The director has authority to determine the interpretation or usage of terms used in this title, subject to appeal pursuant to the provisions of chapter 49.20.

(b) Word usage and grammatical rules. Unless the context clearly indicates otherwise, the rules of construction found in CBJC 01.15.020 apply.

(c) Headings, captions, and illustrations. In cases where text conflicts with any heading, table, figure, or illustration, the text controls.

(d) Conjunctions.

(1) "And" means that all connected items, conditions, or provisions apply.

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(2) “Or” means that one or more of the connected items, conditions, or provisions apply.

(3) “And/or” means that the connected items may apply singularly or in any combination.

(4) “Either... or” means that the connected words or provisions apply singularly, but not in combination.

(e) Lists and examples.

(1) When terms such as “including,” “for example,” or “such as” are used, the examples provided are not exhaustive and do not limit other possible inclusions.

(2) Unless otherwise specifically indicated, the word “including” always means “including but not limited to.”

(3) Unless otherwise specifically indicated, a list does not imply a priority or chronological order.

(f) Measurement of time.

(1) References to “days” shall be interpreted as calendar days unless stated otherwise.

(2) Any computation of time shall exclude the first day and include the last day, unless the final day is a weekend or municipal holiday, in which case the period extends to the next business day.

(3) When business days are referenced, they include weekdays (Monday through Friday) but exclude holidays observed by the city and borough.

(g) Fractions.

(1) Unless otherwise stated, a fraction of one-half or more will be rounded to the next highest whole number and a fraction less than one-half will be rounded to the next lowest number.

(2) Unless otherwise stated, fraction calculations are to be truncated to two numbers past the decimal point and rounded. For example, 1.2345 would be rounded to 1.23 and 5.6789 would be rounded to 5.68.

(h) References to other regulations or documents. References to other laws, regulations, or documents shall be construed as referring to the latest version, unless otherwise specifically indicated.

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(i) Delegation of authority. Any act required to be performed by a specific official may be delegated to an authorized designee.

(j) Public officials and agencies. All references to public officials, bodies, and agencies shall refer to those of the city and borough unless otherwise specified.

(k) Conflicting provisions. In case of conflict between the provisions of this title, the more specific provision shall prevail. If no specific provision exists, the more restrictive provision shall prevail. If two provisions are equally specific, the more restrictive provision shall prevail.

~~All questions of interpretation of the provisions of this title may be treated as an appeal, pursuant to the provisions of chapter 49.20.~~

~~(Serial No. 87-49, § 2, 1987)~~

...

49.15.130 Complete applications.

(a) All applications for permits must be complete, signed and accompanied by the applicable fee before the permit-issuing authority can accept the application.

(b) An application is complete when it contains all of the information necessary to determine if the development will comply with all of the requirements of the permit applied for.

(c) Permit applications shall contain a permission form signed by the applicant and the property owner granting permission to City and Borough officials, employees, and agents to enter upon the site during reasonable hours, to examine and inspect the site as part of the permitting procedure.

(d) Incomplete applications will be rejected and notice regarding the incomplete status of the application will be sent to the address included on the application.

...

49.15.160 Amendments of approved permits.

(a) Request for amendment.

(1) A permitholder may request an amendment to an approved permit through an application on a form provided by the department.

(2) Application must be filed with any required fees, scale-drawn site plans and floor plans, and any other materials required by the department at the time of submittal.

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(3) The director will inform the permit holder within 15 business days of receipt of a complete request whether the request shall be processed as a minor amendment or major amendment.

(b) Minor amendment. The director may authorize minor amendments to approved permits if the changes:

- (1) Do not involve any expansion, intensification, or increase in size of the land use or structure beyond the original approval;
- (2) Would have an insignificant change in the outward appearance of the development;
- (3) Would have insignificant impacts on surrounding properties;
- (4) Result in insignificant modification in the location or siting of buildings or common open space;
- (5) Do not involve a feature of the project that was a basis for conditions of approval for the permit;
- (6) Do not involve a feature of the project that was a specific consideration by the review authority in granting the permit;
- (7) Do not reduce the number of parking spaces below that are required by the original permit; or
- (8) Do not create a delay greater than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.

(c) Major amendment. All other amendments shall be reviewed by the same review authority as the original approval. The same public notice and hearing requirements that applied to the original approval also apply to the requested major amendment.

(d) Exceptions.

(1) Amendments related to exploration and mining permits are governed by Chapter 49.65, Article I. - Exploration and mining permits.

...

49.15.660 Reserved. Amendments to approved planned unit development plan.

(a) ~~Request for amendment.~~ The developer of a planned unit development may request an amendment to an approved preliminary or final planned unit development plan. The request shall state the reasons for the amendment and shall be submitted in writing to

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~~the director, who shall inform the developer within 15 days whether the request shall be processed as a minor amendment or major amendment.~~

~~(b) *Minor amendment.* A minor amendment may be submitted without a filing fee and may be approved by the director. For purposes of this section, a minor amendment is a change consistent with the conditions of the original plan approval, the general character of the overall planned unit development, and the criteria set out in subsection 49.15.630(d), and would result in:~~

- ~~(1) Insignificant change in the outward appearance of the development;~~
- ~~(2) Insignificant impacts on surrounding properties;~~
- ~~(3) Insignificant modification in the location or siting of buildings or common open space;~~
- ~~(4) No reduction in the number of parking spaces below that required;~~
- ~~(5) A delay of no more than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.~~

~~(c) *Major amendment.* All other amendments shall be reviewed by the commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.~~

~~(Serial No. 97-12, § 2, 1997)~~

~~...~~

49.15.750 Reserved. Amendments to approved cottage housing development plan.

~~(a) *Request for amendment.* The developer of a cottage housing development may request an amendment to an approved preliminary or final cottage housing development plan. The request shall state the reasons for the amendment and shall be submitted in writing to the director, who shall inform the developer within 30 days whether the request shall be processed as a minor amendment or major amendment.~~

~~(b) *Minor amendment.* A minor amendment may be submitted without a filing fee and may be approved by the director. For purposes of this section, a minor amendment is a change consistent with the conditions of the original plan approval, the general character of the overall cottage housing development, and the criteria set out in this article, which would result in:~~

- ~~(1) Insignificant change in the outward appearance of the development;~~

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(2) — Insignificant impacts on surrounding properties;

(3) — Insignificant modification in the location or siting of buildings or common open space;

(4) — No reduction in the number of parking spaces below that required;

(5) — A delay of no more than one year in the construction or completion schedule for the project.

(e) — ~~Major amendment.~~ All other amendments shall be reviewed by the commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.

(Serial No. 2005-52(b), § 3, 1-30-2006)

...

49.15.970 Reserved. ~~Amendments to approved alternative residential subdivision plan.~~

(a) — ~~Request for amendment.~~ The developer of an alternative residential subdivision may request an amendment to an approved preliminary or final alternative residential subdivision plan. The request shall state the reasons for the amendment and shall be submitted in writing to the director, who shall inform the developer within 15 days whether the request shall be processed as a minor amendment or major amendment.

(b) — ~~Minor amendment.~~ A minor amendment may be submitted without a filing fee and may be approved by the director. For purposes of this section, a minor amendment is a change consistent with the conditions of the original plan approval, and would result in:

(1) — Insignificant change in the outward appearance of the development;

(2) — Insignificant impacts on surrounding properties;

(3) — Insignificant modification in the location or siting of buildings or open space;

(4) — No reduction in the number of parking spaces below that required;

(5) — A delay of no more than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.

(e) — ~~Major amendment.~~ All other amendments shall be reviewed by the commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.

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(Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019)

...

49.20.320 Use not listed.

(a) The director may determine that a use not specifically listed in the table of permissible uses may be permitted if all the following findings can be made:

- (1) The use is consistent with the Comprehensive Plan and other relevant officially adopted plans;
- (2) The use will not be detrimental to public health, safety, or welfare;
- (3) The use is consistent with the intentions of the underlying zone district;
- (4) The use is similar to other uses allowed in the underlying zone district;
- (5) The density or intensity of the use is similar to other uses in the underlying zone district; and
- (6) The use is compatible with principally and conditionally permitted uses in the underlying zone district.

(b) When the director determines that a proposed use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of Title 49.

(c) Director determinations will be in writing and maintained by the department for public review.

(d) The director may refer any equivalent use determination to the planning commission for review and final decision.

(e) Equivalent use determinations by the director may be appealed to the planning commission.

~~After public notice and a hearing, the planning commission may permit in any district any use which is not specifically listed in the table of permissible uses but which is determined to be of the same general character as those which are listed as permitted in such district. Once such determination is made, the use will be deemed as listed in the table of permissible uses.~~

(Serial No. 87-49, § 2, 1987; Serial No. 2021-19, § 5, 8-2-2021, eff. 9-1-2021)

...

49.25.250 Waterfront districts.

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The following districts are established to accommodate those uses that are dependent or directly related to the water, a waterfront location, or both. These districts regulate development of the waterfront to take advantage of the unique attributes and limitations of its lands:

...

- (b) The WI, waterfront industrial district, is intended for industrial and port uses which need or substantially benefit from a shoreline location. In addition, many of the uses that are allowed in the WC, waterfront commercial district, are also allowed in the WI, waterfront industrial district. Residential uses are limited to permitted caretaker units residences in the waterfront industrial district.

...

49.25.300 Determining uses.

...

(c) A combination of digits such as "1, 3" or "2, 3" indicates that the approval procedure for the identified use in the identified zone will vary depending on whether the project is a major or minor development.

- (1) If the project is a minor development the first number of the combination shall indicate the applicable procedure.
- (2) If the project is a major development the second number shall indicate the applicable procedure.
- (3) Minor development means development which is classified by zoning district as follows:

(A) Any combination of the following within the rural ~~Rural~~ reserve district: A residential development containing two or fewer dwelling units; ~~two or fewer bedrooms leased on a daily or weekly basis, or~~ a nonresidential building totaling less than 10,000 square feet or using less than one acre of land in total; any accessory dwelling units (ADUs) compliant with CBJC 49.25.512.

(B) Any combination of the following within single-family ~~Single family~~ residential districts: A residential development containing two or fewer dwelling units on a lot; ~~two or fewer bedrooms leased on a daily or weekly basis, or~~ a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total; any accessory dwelling units (ADUs) compliant with CBJC 49.25.512.

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- (C) Any combination of the following within multifamily ~~Multifamily~~ residential districts: A residential development that meets the density standards of the underlying zone district; ~~containing eight or fewer dwelling units, eight or fewer bedrooms leased on a daily or weekly basis,~~ or a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total; any accessory dwelling units (ADUs) compliant with CBJC 49.25.512.
 - (D) Any combination of the following within commercial ~~Commercial~~ and mixed use districts: A residential development that meets the density standards of the underlying zone district; ~~containing 12 or fewer dwelling units, 12 or fewer bedrooms leased on a daily or weekly basis, or a~~ nonresidential building totaling less than 10,000 square feet or using less than one-half acre of land in total; any accessory dwelling units (ADUs) compliant with CBJC 49.25.512.
 - (E) Any combination of the following within industrial ~~Industrial~~ districts: Non-residential buildings totaling 15,000 square feet or using less than one acre of land in total; accessory caretaker units compliant with CBJC 49.25.514.
- (4) “Major development” means all development activity that is not a minor development.
- (5) *Exceptions.* Exceptions to the use of minor and major development classifications as a method of determining the applicable approval procedure shall be as noted in the table of permissible uses.

...

TABLE OF PERMISSIBLE USES – CBJC 49.25.300

Use Description	Zones																	
	RR	D-1	D-3	D-5	D-10SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I	
1.110 Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1				IA	IA
...																		
1.130 Single family detached, accessory apartment	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3			1,3		
1.140 Single family detached, two dwellings per lot,	1,3	1,3	1,3															

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		accessory apartment																	
	1.150	Caretaker unit																1	1
	...																		
	1.815	Caretakers mobile Mobile homes on individual lots outside of mobile home parks ^E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3-1 ^A	3-1 ^A
	...																		
	1.911	Accessory apartments dwelling units	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3		
	...																		
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h) 49.25.512			3	3	31	31	31	31	31	1	1	31	1	1	1		

- ...
- A. A mobile home may only be used as a caretaker unit which complies with CBJC 49.25.514. A single family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.
- ...
- E. See special use regulations for mobile homes, chapter 49.65, article III.
- ...
- X. Special requirements apply to accessory ~~apartment~~ dwelling unit applications. See CBJC § ~~49.25.510(k)~~ 49.25.512.
- ...
- 49.25.510 Special density considerations.**
- ...
- ~~(k) Accessory apartments. No person shall construct or maintain an accessory apartment except in accordance with a permit issued under this section.~~
- ~~(1) Application. Accessory apartment applications shall be submitted on a form provided by the director and shall include:~~

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- ~~(A) — A completed application form;~~
- ~~(B) — The application fee required by chapter 49.85;~~
- ~~(C) — A site plan drawn to scale or dimensioned indicating all required parking, minimum setbacks, and actual lot size; and~~
- ~~(D) — A floor plan drawn to scale or dimensioned indicating all dwelling units and including each room labeled as to use;~~
- ~~(E) — A statement that the property is connected to sewer. If the property is not connected to sewer, a statement from the department of environmental conservation confirming that the existing wastewater disposal system is sufficient for the development, including the proposed accessory apartment, and a statement from a qualified inspector that the existing wastewater disposal system is functioning as designed.~~

~~(2) — Approval standards.~~

- ~~(A) — Unless otherwise provided, the accessory apartment shall be a one-bedroom or efficiency unit not exceeding 600 square feet in net floor area.~~
- ~~(B) — Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways shall not be included in the computation of the net floor area for the accessory apartment.~~
- ~~(C) — The minimum lot size as used in this section refers to the minimum lot size for permissible uses listed in the table of dimensional standards, CBJ 49.25.200.~~
- ~~(D) — A permit under this subsection may be issued if the applicant establishes:

 - ~~(i) — The development meets all setback requirements;~~
 - ~~(ii) — The total building footprint does not exceed the maximum lot coverage allowable under section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, the total building footprint does not increase with the proposed accessory apartment;~~
 - ~~(iii) — The development does not violate the vegetative cover requirements imposed by section 49.50.300; or, in the case of nonconforming structures, the proposed accessory apartment does not decrease the existing vegetative cover;~~~~

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- (iv) — ~~The development meets the parking standards required by chapter 49.40; and~~
- (v) — ~~The development is connected to public sewer or the existing wastewater disposal system has adequate capacity for the development, including the proposed accessory apartment.~~
- (E) — ~~Single family detached accessory apartment approval.~~
 - (i) — ~~The director may approve a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:~~
 - (a) — ~~The application is for an efficiency or one bedroom unit that does not exceed 600 square feet in net floor area and is on a lot that exceeds the minimum lot size; or~~
 - (b) — ~~The application is for an efficiency, one bedroom, or two bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.~~
 - (ii) — ~~The commission may approve, with a conditional use permit, a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:~~
 - (a) — ~~The application is for an efficiency or one bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size; or~~
 - (b) — ~~The application is for an efficiency, one bedroom, or two bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.~~
 - (iii) — ~~An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 125 percent of the minimum lot size.~~
- (F) — ~~Single family detached, two dwellings per lot, accessory apartment approval.~~

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~~(i) When a lot has two primary dwelling units, each primary dwelling unit may have up to one accessory apartment that is consistent with the requirements of this section. The lot shall not have more than two accessory apartments.~~

~~(ii) An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 250 percent of the minimum lot size.~~

~~(iii) The director may approve a 49.25.300.1.140 accessory apartment application if all of the requirements of this section and the following are met:~~

~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, is on a double sized lot (two times the minimum lot size), and the lot does not have another accessory apartment in excess of 600 square feet in net floor area; or~~

~~(b) The application is for an efficiency, one bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, on a lot that exceeds 250 percent of the minimum lot size, and the lot does not have more than one other accessory apartment in excess of 600 square feet in net floor area.~~

~~(iv) The commission may approve, with a conditional use permit, a 49.25.300.1.140 accessory apartment application if all of the requirements of this section and the following are met:~~

~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the lot does not have another accessory apartment in excess of 600 square feet in net floor area;~~

~~(b) The application is for an efficiency, one bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, is on a lot that exceeds 250 percent of the minimum lot size, and where the lot does not~~

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have more than one other accessory apartment in excess of 600 square feet in net floor area.

~~(G) Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed use zoning districts.~~

~~(i) The director may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met:~~

~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that exceeds the minimum lot size, and the primary use of the lot is a single family dwelling.~~

~~(ii) The commission may approve, with a conditional use permit, a 49.25.300.1.300 accessory apartment application if all of the requirements of this section and the following are met:~~

~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the primary use of the lot is a single family dwelling.~~

~~(H) Common wall accessory apartment approval.~~

~~(i) Each common wall dwelling may have up to one accessory apartment that does not exceed 600 square feet in net floor area and that is consistent with the requirements of this section.~~

~~(ii) The director may approve a 49.25.300.1.911 accessory apartment application if all of the requirements of this section and the following are met:~~

~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that exceeds the minimum lot size.~~

~~(iii) The commission may approve, with a conditional use permit, a 49.25.300.1.911 accessory apartment application if all of the requirements of this section and the following are met:~~

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~~(a) The application is for an efficiency, or one bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size.~~

49.25.512 Accessory dwelling units (ADUs).

(a) Permit. An ADU permit is required for the creation of an ADU.

(1) ADU permits require an application. The application must be completed and submitted to the Department on a form provided by the Department

(2) An application must be filed with any required fees, scale-drawn site plans and floor plans, and any other materials required by the Department at the time of submittal to be considered complete. Incomplete applications will not be considered.

(b) ADU development standards. ADUs are subject to the following development standards:

(1) Density. ADUs are exempt from the density requirements of the underlying zone district.

(2) Number of ADUs.

(A) One ADU per principally permitted residence is allowed and up to two ADUs per parcel.

(3) Relationship to principal structures.

(A) An ADU may be within, attached to, or detached from a single- or multi-family residential structure.

(B) An ADU must contain complete independent living facilities for one or more people.

(C) If a lot contains an existing single-family home 1000 square feet in size or less, the existing home may be designated as an ADU as part of a project to construct a new single-family home on the lot.

(4) Lot size, lot coverage, height, and setbacks.

(A) ADUs are not subject to minimum lot size or minimum lot width standards.

(B) ADUs are subject to the same lot coverage standards that apply to primary dwellings in the underlying zone district.

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(C) ADUs are subject to the same height standards that apply to primary dwellings in the underlying zone district.

(D) ADUs are subject to the same front and side setbacks that apply to primary dwellings in the underlying zone district.

(E) ADUs are subject to a minimum 10-foot rear yard setback. If the underlying zone district's rear yard setback standard is less than 10 feet, the smaller setback applies.

(F) ADUs created through the conversion of an existing legal structure which does not conform to height and setback standards are considered to be in compliance if the conversion does not make the existing legal structure more nonconforming.

(5) Maximum unit size.

(A) A detached ADU may not exceed 1000 square feet in net floor area.

(B) An attached ADU may not exceed 1000 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

(C) Areas common to more than one dwelling unit – including entry ways, furnace rooms, laundry rooms, and interior stairways – are not to be included in net floor area calculations.

(6) Parking. ADU parking is governed by 49.40.210 with the following exception:

(A) When an existing covered parking space is converted into living space for an ADU, replacement parking is not required for the eliminated parking space.

49.25.514 Caretaker units.

(a) Permit. A permit is required for the creation of a caretaker unit.

(1) Caretaker unit permits require an application. The application must be complete and submitted to the Department on a form provided by the Department.

(2) An application must be filed with any required fees, scale-drawn site plans and floor plans, and any other materials required by the Department at the time of submittal to be considered complete. Incomplete applications will not be considered.

(b) Caretaker development standards. Caretaker units are subject to the following development standards:

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- (1) Accessory use.
 - (A) The caretaker unit, whether attached or detached to a principal structure, is an accessory use to the principal use of the lot upon which it is located
- (2) Residency.
 - (A) In order to qualify as a caretaker unit under this Code, the unit must be used exclusively as a residence by a caretaker and their family.
- (3) Lot size, lot coverage, height, and setbacks.
 - (A) Caretaker units are subject to the lot coverage, height, and setback requirements of the underlying zone district.
 - (B) Caretaker units are exempt from lot size requirements of the underlying zone district.
- (4) Density.
 - (A) Caretaker units are exempt from density requirements of the underlying zone district.
- (5) Number of caretaker units.
 - (A) One caretaker unit per lot is allowed.
- (6) Size.
 - (A) The maximum size of a caretaker unit is 2000 square feet in net floor area
 - (B) For attached caretaker units, areas shared with the principal use – including entry ways, furnace rooms, laundry rooms, storage areas, garages, workspaces, and interior stairways – are not to be included in the computation of the net floor area.

...
49.40.210 Number of off-street parking spaces required.

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Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
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Accessory apartment dwelling unit	1 per each unit; 0 per each unit if located within 1 mile of a public	0 per each unit

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	<u>transit stop (see CBJC 49.25.512)</u>	
<u>Caretaker unit</u>	<u>0 per each unit</u>	<u>0 per each unit</u>
...

49.65.300 Mobile homes on individual lots.

Mobile homes may be located on individual lots outside of mobile home parks or mobile home subdivisions only under the following conditions and after issuance of a building permit:

- (1) A mobile home may be used as a temporary structure during construction of a dwelling on a lot. Occupancy of the mobile home is permitted only after issuance of a building permit for the dwelling under construction and only if construction commences within 120 days of issuance of the permit.
- (2) Mobile Homes which meet the building code and zoning requirements applicable to permanent construction may be located on any lot in the same manner.
- (3) Caretaker units within industrial zone districts that comply with CBJC 49.25.514.
- ~~(4) (3)~~ The commission may issue a conditional use permit for a single mobile home used as an ordinary residence on an individual lot in the RR, rural reserve district, and the D1 and D3, residential districts, ~~or used as a caretaker residence in any district.~~

49.65.630 Construction standards.

- (a) Construction on bungalow lots shall be limited to the following:
 - (1) One detached single-family dwelling with a net floor area not to exceed 1,000 square feet, and in addition, no more than 300 square feet, net floor area, of enclosed storage space such as garages, carports or sheds.
 - (2) A single attached accessory dwelling unit may be constructed within the allowable footprint of a single-family dwelling, to include the conversion of a covered parking area.
 - ~~(3) (2)~~ Structures on bungalow lots shall not exceed 25 feet in height, as measured under section CBJC 49.25.420.
 - ~~(4) (3)~~ Area calculations for staircases and elevators:

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(A) Up to 100 square feet of the footprint of interior staircases and elevators shall not be counted toward the net floor area of the dwelling.

(B) The footprint of exterior staircases or elevators providing access to floors above the ground floor shall be counted toward the net floor area of the dwelling.

~~(5)(4)~~ Up to 100 square feet of a second story deck shall not be counted toward the net floor area.

~~(6)(5)~~ The primary entrance must be separate from the garage or carport, and where practicable, must be clearly visible from the street providing access. Where such visibility is not practicable, a pedestrian path must be provided from the street to the primary entrance.

(b) The following dwelling types shall be prohibited on bungalow lots:

- (1) ~~Detached accessory dwelling units~~ ~~Accessory apartments~~
- (2) Mobile homes
- (3) Recreational vehicles
- (4) Bed and breakfast or boarding houses

...

49.70.720 Zoning upgrade.

~~For lands located within a transition zone, the zoning will be upgraded to the higher density classification at the time public water, sewer or other required improvements are provided according to the following procedures:~~

~~(1) Procedure. A zoning upgrade in a transition zone may be initiated by either of two different procedures:~~

~~A. The applicant for a major development permit in a transition zone may make a concurrent request for a zoning upgrade. The plans accompanying the development permit application shall be based upon the density requested. A request for a zoning upgrade shall include preliminary plans and a determination by a certified engineer that such improvements are feasible.~~

~~B. The planning commission may initiate a zoning upgrade if the public sewer, water, or other required improvements already exist or will be provided by the City and Borough.~~

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~~(2) — Hearing and decision.~~

~~A. — Hearing. The commission shall consider the upgrade at a hearing upon notice provided in accordance with section 49.15.230. The commission shall base its decision to grant the upgrade on the determination of the feasibility of providing public water, sewer, and other required improvements. The staff report to the commission shall include a review of the plans and a feasibility report by the City and Borough engineer. The feasibility of providing public services shall consider the ability of the existing sewer and water system to handle the increased demand created by the proposed development.~~

~~B. — Decision.~~

~~(a) The director will have the authority to upgrade the zoning of a parcel located within a transition zone from a lower density classification to a pre-determined higher density classification once public water, sewer, or other required improvements are provided to the parcel. The director may also upgrade zoning in cases where an approved development project will provide the required services.~~

~~(b)(a) The director ~~commission~~ may grant a zoning upgrade only to the classification indicated by the prefix (T) on the official zoning maps. A change to any other classification, or to the classification indicated by the prefix (T) on the official zoning maps before meeting the public improvement requirements for rezoning, shall be considered pursuant to section 49.75.130.~~

~~(b) — The commission shall determine the boundary of the area to be upgraded.~~

~~(c) — If the public water, sewer or other required improvements are not constructed or bonded, the commission may grant only conditional approval to the zoning upgrade request. The effective date of the zoning upgrade will be the date of final acceptance or bonding of the improvements.~~

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49.80.110 Reserved. Rules of construction.

For the purpose of this title, certain terms or words shall be interpreted as follows:

~~(a) — “Sign, major” means a sign which requires a permit and review by the department.~~

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(b) ~~“Sign, minor” means a sign which does not require a permit or review by the department, but which must meet the requirements and standards set forth in chapter 49.45.~~

(e) ~~“Used” or “occupied” as applied to any land or building shall be construed to include the words “intended,” “arranged,” or “designed” to be used or occupied.~~

49.80.120 Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

~~*Accessory apartment* means one or more rooms with private bath and kitchen facilities comprising of an independent, self contained dwelling unit or attached to a single family dwelling or in a detached building on the same lot as the primary dwelling unit. An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance. *Accessory dwelling unit (ADU)* means an attached or detached residential dwelling unit with complete independent living facilities for one or more persons. An ADU includes permanent provisions for living, sleeping, eating, cooking, and bathing on the same parcel as an existing or proposed residential use.~~

...

Caretaker unit means a residential dwelling unit, either attached or detached, in a non-residential zone district, which is designated for the occupancy of one or more persons who provide oversight, security, or maintenance services on the same property where the caretaker unit is located.

...

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers

6:00pm

Meeting Date: February 25, 2025

1. AME2025 0001:

- a. Public comment: Michelle Hale 2/21/25

February 21, 2025

Dear Planning Commission:

I appreciate the proposed ADU changes and encourage you to forward these on to the Assembly. As a duplex owner in an area zoned D5, I have long been barred from adding an ADU to my lot. This ordinance frees me up to add not one but two. This should help considerably with our long-standing housing problem in Juneau.

I encourage you also to recommend adding the Alternative Development Overlay District (ADOD) condition for 3-foot setbacks, at least on side and back yards, to the ordinance. There are many houses built years ago, when everyone thought we would never run out of land, where the houses are right in the middle of their lots.

My lot is a good example. If the ADU is a cottage or small house, adhering to the setbacks will result in the ADU being crowded up next to the house with extra unused land on the edges of the property.

We are located at 4431 Taku Blvd. If you look at the Parcel Viewer in my neighborhood, you see this same problem with setbacks, with houses in the middle of lots in many of my neighbor's yards.

This could be attempted on a trial basis; for example, allowing the 3' setback ADOD to expire when the new Comprehensive Plan revision is complete. Through that revision, the question of setbacks could be more comprehensively addressed.

Again, I encourage you to forward these changes on to the Assembly. They are one of many tools that Juneau can use to encourage more housing now, while at the same time streamlining of other existing processes continues.

Thank you,

Michelle Hale