

Agenda
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
June 9, 2020

I. ROLL CALL

Michael LeVine, Chairman, called the Committee of the Whole Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:04 p.m.

Commissioners present: Michael LeVine, Chairman; Nathaniel Dye, Vice Chairman; Paul Voelckers, Clerk; Travis Arndt, Assistant Clerk; Ken Alper; Dan Hickok; Joshua Winchell; Erik Pederson

Commissioners absent: Weston Eiler

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Alexandra Pierce, Planning Manager; Emily Wright, CBJ Law Department; Laurel Christian, Planner

Assembly members: None

II. REGULAR AGENDA

AME2018 0004: Juneau Downtown Zoning – Alternative Development Overlay District
Applicant: City and Borough of Juneau
Location: Downtown Juneau

Due to a possible perceived conflict, Mr. LeVine turned the gavel to Mr. Dye to chair this portion of the meeting.

Irene Gallion, CDD, presented **AME2018 0004**.

Mr. LeVine noted that this has been a long-time work in process and wanted to note the amount of work that has gone into getting the AME to this point.

During the explanation of minimum lot size and percentage of conformity, Ms. Maclean explained if a property is nonconforming, it is more challenging for the property owner to obtain a mortgage loan. By making more properties conforming they think this should help homeowners.

Mr. Voelckers asked does the ADOD zoning supplant other zoning districts? Will this truly make the property conforming or will it just make their nonconformity allowed? Ms. Maclean said depending on how the ADOD is decided it could make them conforming. Later in the meeting, Ms. Wright clarified that this would make them 'more conforming' but they would not be conforming.

Mr. Voelckers had questions regarding subdividing in hazard areas. While they cannot subdivide, would they be allowed to add a kitchen or bedroom? Ms. Maclean answered yes and that is what is allowed today.

Mr. Voelckers asked what is the standard lot size in the Flats? Staff answered it is about 3,600 square feet. Mr. Voelckers asked why the Title 49 committee settled on a 3,000 square foot lot size when there was so much negative public testimony saying that was too small size. Mr. Dye explained the factors the committee considered and how they reached that decision saying that while there were concerns, there were mitigating factors as well.

Mr. Arndt explained that once the properties in hazard areas were removed from eligibility, only a handful of properties were left with subdivision potential. Mr. Winchell added the residential properties impacted by ability to subdivide was small and the intent is more to allow owners to use their land. Ms. Pierce explained that their goal was conformity and not so much subdividability. Mr. LeVine reminded the commission that the ADOD is an option for property owners to opt in to be compliant and it is not a requirement.

During discussion of setbacks, Mr. LeVine asked if a dwelling was built to the lot line with zero setback, and they wanted to add to it, could they build on the zero setback or would they have to observe the three-foot requirement. Staff answered, the property was already nonconforming and would not be allowed to add to the nonconformity. They would need to observe the three-foot setback for the addition.

Mr. Voelckers said he appreciates the flexibility the ADOD allows but has concerns with the setbacks as small as three feet and asked how staff came to find three feet acceptable and had concerns regarding the reduced setback requirements for the smaller sized lots. He also found the 50% limitation on lot coverage to be too stringent. He expressed surprise at the proposed reduction in setbacks to the very small lots and suggested the same percentage reduction be applied to the coverage requirement.

Mr. Arndt commented that the focus of the Title 49 Committee was on existing dwellings and not on new construction and explained that the majority of the lots affected by this are already built. Committee members discussed conforming versus more conforming nonconformity and the possibility of grandfathering the existing properties as conforming altogether.

Mr. Arndt reminded the Committee of the August 1 2020 sunset date saying they either need to extend the current ADOD or complete this to bring to the Assembly. Mr. Winchell asked what happens if the deadline is missed and how many properties would be affected. Ms. Maclean said the vast majority are nonconforming. If they cannot meet the sunset deadline, they could ask for an extension or if it is missed altogether, it could just become the standard zoning and there would be no sunset date. Mr. Dye explained the reason for continuing the ADOD is that would allow for additions and other options for the properties that would not be available if the sunset expires.

Mr. LeVine said he likes the postage stamp (setback box) approach but had trouble with the three-foot setbacks. He wondered if they could ask Ms. Wright to investigate other options in code that would allow the properties to become conforming rather than *more conforming* nonconformity without any possibility of unintended consequences that would eliminate the need for the phrase more conforming.

Mr. Winchell and Mr. Voelckers spoke in agreement with Mr. LeVine. Mr. Voelckers also had an issue with the percentages of required vegetative cover.

It was decided to keep this at the Committee of the Whole for further discussion.

Mr. Dye turned the gavel back to Mr. LeVine for the remainder of the meeting.

III. **OTHER BUSINESS** - None

IV. **REPORT OF REGULAR AND SPECIAL COMMITTEES** - None

V. **ADJOURNMENT** – 6:49 pm