



Planning Commission

(907) 586-0715

PC_Comments@juneau.gov

www.juneau.org/community-development/planning-commission

155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: March 23, 2025

Case No.: AME2025 0001

City and Borough of Juneau
City and Borough Assembly
155 Heritage Way
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding proposed ordinance amendments 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.

Property Address: Multiple

Legal Description: Multiple

Parcel Code Number: Multiple

Hearing Date: February 27, 2025 and March 11, 2025

The Planning Commission, at its regular public meetings, developed the recommendations in the attached memorandum dated March 21, 2025, and recommended that the City and Borough Assembly consider Commission comments on proposed ordinance amendments 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.

Attachments: March 21, 2025 memorandum from Mandy Cole, Planning Commission Chair, to the CBJ Assembly regarding AME2025 0001.

February 14, 2025 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2025 0001.

City and Borough Assembly
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March 23, 2025
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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).

mandy cole

Mandy Cole, Chair
Planning Commission

3/21/2025

Date

Madeline Carse

Filed With City Clerk

3/24/2025

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. 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.



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Planning Commission (PC) Recommendations and Discussion - AME2025-0001

March 21, 2025

1. **ADU rewrite:** General PC agreement in support of the rewrite, specifically relaxing size of ADU and rear setbacks. Areas of concern:

- Further setback reduction may be needed by homeowners looking to add sensible ADU to older lots (tended to build right in the middle). While the PC is not opposed to making common sense reductions in setbacks, commissioners were split on the idea of the most aggressive reductions (ie. 3 ft setbacks- minimum for fire separation).
- PC also expressed some concern about relaxing parking restrictions, believing it will aggravate problems on dense streets, however, the need for housing likely outweighs those concerns.
- PC notes that increased ADUs by right will change the appearance of neighbors, likely concerning existing neighbors as more units are added.

Bottom Line- No objections as written, PC generally supportive of even more relaxation.

2. **Caretaker Units rewrite:** General PC agreement on need to clarify existing code, as no caretaker unit size currently exists. Areas of concern:

- Size of units (2000sq ft) thought appropriate by some, too large by others (inviting family use).
- Conditions in industrial zones may not be conducive to residential purposes, however, those living in caretaker units likely have a very good idea of those conditions and have accepted the tradeoff.
- Potential to add conditions for sites with clear hazards. Would need to be spelled out further in the rewrite- as currently written, the large caretaker unit would be allowable by-right in any industrial zone, even those with chemical/health hazards.

Bottom Line- It makes sense to “clean up” this ordinance with the current proposed language, and the scope is limited by the “one unit” designation, however, the Assembly may want to consider how to limit potentially harmful industrial zone conditions for even one unit.

3. **Staff (rather than PC) adjustments to minor Conditional Use Permit issues rewrite:** General PC agreement that the vast majority of examples of adjustments should have a fast process than returning to the PC. Areas of concern:

- If Planning Division made an adjustment decision that did not favor the applicant, the appeal process is likely too onerous to be a practical alternative.
- To the PC’s understanding, there is no way for the applicant to “choose” department approval or PC approval routes, thus the decision would always sit in the department to determine in the change was “significant” ...with only appeal as a way to challenge the decision. PC noted that likely the department and the PC would agree as to the “significance” of an adjustment given the way we work today- but who knows about future PC/Department relations?

Bottom Line- PC supports this rewrite as it is likely to streamline development, and save applicants time and money. Just a warning that when it doesn't go an applicant's way, the appeal process would likely cost enough time and money that it becomes an impractical way to address the problem, and by that point, the PC would have no ability to intervene (absent appeal).

4. Rules of Construction rewrite: General PC agreement with the concept to update measurement rules, etc. Areas of concern:

- Apparent contradiction in which body determines "interpretation" - to be revised by Mr. Dumouchel

Bottom Line- This section needs revision with regard to interpretation. PC does NOT recommend adoption as presented.

5. Transition Upzones rewrite: General PC agreement with the rewrite, no concerns.

Bottom Line- This rewrite is common sense, and can be implemented to lessen time/resource constraints on CBJ and applicants. No concerns.

6. Major/Minor Developments rewrite: The PC found this element of the rewrite to be impactful on the speed of development projects, which almost always translates to less cost for the developer and more projects coming to market. However, it also has the biggest trade-off in terms of public process. The question is: should most multifamily projects come before the PC for public hearing just by virtue of being larger than most residential buildings in Juneau?

- The underlying code requirements (density, height, set backs, etc) would prohibit most extreme development.
- The PC has a history of approving most of these projects anyway.
- The developer/applicant saves time by NOT presenting to the PC, and the staff saves time by not creating a PC report.
- However, the public would not hear about developments unless they are within the abutter's notice area. Neighbors would be able to submit comments during the notice period, but they would be contained within the CDD Department.
- Also, the PC would not have a chance to publically affirm, deny or add/modify conditions based on concerns from the public. Developers (applicants) would likely save time, but if they are issued a denial by the department, they couldn't request review by the PC- they could only use the appeal process which is lengthy and costly.

Bottom Line- in service to the objective of increasing housing, this rewrite will likely streamline the process for developers/applicants. But the PC is not unanimous in thinking the streamlining is worth sacrificing public process. Some of these concerns may be cared for in the Comprehensive Plan rewrite.