

DRAFT MINUTES

Agenda

Planning Commission

Committee of the Whole Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chairwoman

April 11, 2023

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Epstein

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, Chairwoman, called the Committee of the Whole 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 6:04 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole; Michael LeVine; Travis Arndt; Paul Voelckers; Matthew Bell; Adam Brown; Nina Keller; David Epstein

Commissioners present via video conferencing – None

Commissioners absent: Erik Pedersen

Staff present: Scott Ciambor, CDD Planning Manager; Teri Camery, Senior Planner; Minta Montalbo, CDD Administrative Officer; Lily Hagerup, CDD Administrative Assistant; Ilsa Lund, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

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

IV. APPROVAL OF MINUTES

A. March 14, 2023 Draft Minutes, Committee of the Whole

MOTION: *by Mr. Arndt to approve the March 14, 2023 Planning Commission Committee of the Whole Meeting minutes.*

V. REGULAR AGENDA

A. AME2021 0008 – An ordinance change to update CBJ 49.15.330(g)(9), Conditional Use Permit; 49.70.210, Hillside Development; and 49.70.300, Landslide and Avalanche Areas, to adopt the 5-28-21 Downtown Juneau Landslide and Avalanche Assessment

STAFF PRESENTATION – By Planning Manager Ciambor

QUESTIONS FOR STAFF

Chair Cole asked Mr. Ciambor to elaborate on the addition of ‘moderate’ to the Ordinance proposal. Mr. Ciambor explained it had been discussed at November meetings and the City Manager recommended it be added for discussion.

Ms. Cole and Mr. Voelckers asked why landslide and avalanche were kept separate and not combined as the PC had requested. Mr. LeVine said that he spoke with Director Maclean about the issue earlier and said that it could be related to insurances.

Ms. Camery explained it is possible in most cases to get insurance in avalanche areas but it is more difficult to insure in landslide areas. The designation of avalanche or landslide zone is what affects insurance and not whether or how the zone is regulated.

Mr. Voelckers said there also appears to be distinction between types of landslides and neither is defined in Title 49 and asked if staff has seen a difference. Ms. Camery said that based on her conversations, insurance agents did not distinguish between types of landslides; and the term mass wasting is a term that is generally used interchangeably with landslide and added the terms have, at times, been used interchangeably. Ms. Camery said that this question is coming up as insurers look more closely at the adopted 1987 maps, because the wording on the maps is confusing and in several maps, landslide and avalanche designations are combined.

Mr. LeVine asked if that means that if new maps were drawn with more precise designations, they would be helpful to property owners for getting insurance. Ms. Camery said that property owners in severe avalanche areas can continue to get insurance, so having landslide and avalanche distinguished in the new maps could benefit some property owners.

COMMISSIONER DISCUSSION – Page by Page review

Page 1

- Mr. Voelckers suggested removing the word “moderate” from Line 18.

Mr. LeVine said it is unclear what risk is denoted by a “moderate” zone. It was unclear whether “moderate” meant a moderate risk of a severe event or a severe risk of a moderate event. Ms. Camery explained the contractor had provided technical memos with explanations of the landslide designations as part of the final report, and this is posted on the website special projects page.

- Mr. Voelckers suggested editing line 19 to read “**be managed per this section to minimize the risk of loss of life or property due to landslides and avalanches.**”
- Mr. Voelckers suggested adding to line 22 “**or by corrections through the process defined in (b)(5)**”
- Mr. Voelckers suggested adding to line 26 “**or by corrections through the process defined in (c)(4)**”

Page 2

- Ms. Cole proposed replacing should with shall “Owners and developers ~~should~~ **shall** provide ...” Ms. Keller agreed with Ms. Cole but Mr. Arndt had an objection.
- Mr. Epstein suggested removing “moderate”
- Ms. Cole said they should strike “moderate” throughout. Mr. LeVine said if Staff has a reason to support keeping “moderate” then they should take that into consideration.
- Mr. Voelckers suggested Lines 10-16 is similar and duplicative of section 5 on page 3. He suggested stating it once and add “civil engineer...”. Ms. Cole said they may not be the same. Suggested leaving beginning and end of section 5 and eliminating the middle.
- Ms. Keller asked why Geotechnical Engineer was changed to Civil Engineer on line 24. Mr. Arndt said there is no such thing as a geotechnical engineer license in the state of Alaska.

Page 3

- Mr. LeVine said he has issues with the word ‘density’ and said if they are talking about adding units, they should just say that.
- Mr. Voelckers proposed “~~Notwithstanding any other provision, no development or any part of a development, which is within a severe landslide area shall, by the addition of bedrooms, conversions of buildings, or otherwise increase the density~~ **increase the housing unit count of the lot or increase the occupancy of the building;** provided, that a single-family dwelling may be constructed on a vacant lot.”

Mr. Arndt pointed out this would have led to the same argument regarding the Glory Hall issue saying it started with zero housing units so this would have also precluded the development. Mr. LeVine agreed and added the Glory Hall issue was a unique situation.

- Given the limited time left in the meeting, discussion moved to clarifying Landslide/Avalanche. Ms. Cole asked for the will of the group between treating them alike or differentiating them. Mr. Epstein said there is a difference and they should be differentiating them. Mr. Voelckers agreed

and added that remedies and mitigations should be kept as similar as possible while looking at each separately.

VI. **COMMITTEE COMMENTS AND QUESTIONS** - none

VII. **EXECUTIVE SESSION** - None

VIII. **ADJOURNMENT** – 6:59

Respectfully submitted by *Kathleen Jorgensen Business Assists* (907)723-6134 