

## *ARTICLE I. PLANNING COMMISSION<sup>1</sup>*

### **49.10.100 Establishment.**

There is established the planning commission for the City and Borough to perform the areawide functions of planning, platting and zoning for the City and Borough.

(Serial No. 87-49, § 2, 1987)

### **49.10.110 Membership; term of office.**

- (a) The members of the commission shall be nine citizens who are residents of the City and Borough and who shall serve without pay but may be paid an honorarium. Members of the commission shall be appointed by the assembly.
- (b) Members of the commission shall be appointed for a term of three years. Terms shall end on December 31 of the third year, provided that a member shall continue to serve until a successor is appointed and takes office. Appointments to fill vacancies shall be for the unexpired term. In the event a seat has six months or less remaining to the unexpired term, the assembly, at its discretion, may choose to appoint the member to the remainder of the current term as well as to the full term immediately following the expiration date of the unexpired term. No member of the planning commission who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply:
  - (1) If there are no other qualified applicants at the time reappointment is considered by the assembly human resources committee, or
  - (2) To qualified board members serving in board seats for which a specific occupation or expertise is set forth by ordinance.
- (c) Officers of the commission shall be chair, vice chair, clerk and assistant clerk elected by a majority vote of the members of the commission at the second meeting after the appointment of new commissioners each year or when necessary because of a vacancy.
- (d) A vacancy in the planning commission shall exist under the following conditions:
  - (1) If a person appointed to membership fails to qualify and take office within 30 days of appointment;
  - (2) If a member departs from the City and Borough with the intent to remain away for a period of 90 or more days;
  - (3) If a member submits his or her resignation to the commission or assembly;
  - (4) If a member is unable to attend regular commission meetings for a period of more than 90 days;
  - (5) If a member misses more than 40 percent of the regular commission meetings in a 12-month period; or

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<sup>1</sup>Cross reference(s)—Docks and harbors board, § 49.05.170.

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- (6) If a member is removed by the assembly, in its sole discretion, for the convenience of the City and Borough.
  - (e) For the purposes of counting attendance, a member participating telephonically in accordance with the Assembly Rules of Procedure shall be counted as present.
  - (f) The chair of the commission shall notify the clerk's office of any new vacancy on the planning commission. Upon notification, the assembly shall appoint a new member for the unexpired term.
- (Serial No. 87-49, § 2, 1987; Serial No. 2004-08, § 6, 3-22-2004; Serial No. 2005-03(d), § 6, 6-13-2005; Serial No. 2006-08, § 2, 4-3-2006)

Charter reference(s)—Quorum, § 3.16(e).

#### **49.10.120 Seal.**

The seal of the commission shall consist of two concentric circles within which appear the words "City and Borough of Juneau Planning Commission," "Seal" and "State of Alaska." It shall be retained in the custody of the director.

(Serial No. 87-49, § 2, 1987)

#### **49.10.130 Meetings.**

- (a) Regular meetings shall be held on the second and fourth Tuesday of each month.
- (b) Special meetings may be called by the chair or any three members of the commission. Public notice of special meetings shall be made 24 hours in advance and shall be supplied to the local news media and posted on the municipal bulletin board. Commission members will be notified by the department.
- (c) Public notice for all permits and other land use ordinance actions shall be according to the requirements established for such actions.
- (d) Meetings shall be conducted under Robert's Rules of Order, as modified by the commission.
- (e) The commission may, by motion, establish its own rules of procedure and committees, meeting times, dates and places, media for public notice, development application forms, referral and review agencies and procedures, and any other matter reasonably necessary or desirable for the full and complete conduct of its duties pursuant to this title and any other provision of law.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 2, 8-31-2015 )

#### **49.10.140 Decisions.**

All permit actions of the commission shall be in the form of a notice of decision setting forth the reasons therefor and conditions thereon, if any, signed by the presiding officer of the commission, and promptly filed with the municipal clerk. Notice shall be mailed to the applicant with a copy retained in the department permanent records.

(Serial No. 87-49, § 2, 1987; Serial No. 97-01, § 3, 1997)

#### **49.10.150 Committees.**

Committees shall be established and appointments thereto made in accordance with the rules of order.

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(Serial No. 87-49, § 2, 1987)

#### **49.10.160 Office and staff.**

- (a) The department shall maintain the planning commission minutes, resolutions, records, reference materials, correspondence and maps, plats, and charts, all of which shall constitute public records of the City and Borough.
- (b) The planning commission shall be furnished secretarial assistance at each regular or special meeting to assist in preparing its minutes and resolutions, and as required to prepare the commission's correspondence under the direction of the commission chair and the director.

(Serial No. 87-49, § 2, 1987)

#### **49.10.170 Duties.**

- (a) *Comprehensive plan review.* The commission shall undertake a general review of the comprehensive plan two years after the adoption of the most recent update, and shall recommend appropriate amendments to the assembly. Proposed map changes shall be reviewed on a neighborhood or community basis as directed by the planning commission.
- (b) *Review of the capital improvements program.* Upon adequate notice which shall be provided by the director, the commission shall review annually the capital improvements program of the City and Borough and submit its recommendations to the assembly.
- (c) *City and borough land disposals and projects.* The commission shall review and make recommendations to the assembly on land disposals as prescribed by title 53, or capital improvement projects by any City and Borough agency.
- (d) *Development code amendments.* The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezonings, indicating compliance with the provisions of this title and the comprehensive plan.
- (e) *Land use actions and related decisions.*
  - (1) All plats approved by the platting board prior to adoption of Serial No. 87-49 are ratified, notwithstanding the use of the commission seal or resolution.
  - (2) The commission shall hear and decide all major development permit applications, density bonus requests, and appeals of decisions made by the director.
  - (3) Hear and decide variance request other than administrative variances.
  - (4) Rule upon map boundary questions and interpret the text of the title as provided in section 49.20.300.
  - (5) Make similar use determinations as provided in section 49.20.320.

(Serial No. 87-49, § 2, 1987; Serial No. 2013-26(am), § 3, 11-4-2013, eff. 12-5-2013 ; Serial No. 2019-19, § 2, 7-22-2019, eff. 8-22-2019 ; Serial No. 2021-19, § 2, 8-2-2021, eff. 9-1-2021)

#### **49.10.180 Compensation.**

A planning commissioner shall be compensated at the rate of \$225.00 per month.

( Serial No. 2021-20(b)(am) , § 4, 6-14-2021, eff. 1-1-2022)

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