DATE: July 16, 2009
TO: Assembly Committee of the Whole
FROM: Dale Pemula, Community Development Director
SUBJECT: Title 49 Update Status Report

Title 49, the City and Borough of Juneau’s Land Use Code, was last comprehensively updated in 1987. Since then, numerous amendments have been made to the Code to reflect changing needs of the community as identified in the Comprehensive Plan, to implement new planning and development techniques, or to correct errors in the Code. Although each of the Code amendments were important at the time of adoption, the cumulative result is that the Code now has conflicting and outdated provisions scattered throughout the large document in a somewhat disorganized manner. It can be difficult for staff to administer and for the public to understand. This Code reorganization and update will resolve major code problems, but there are others being addressed, such as the assignment of permitting processes for particular uses in particular zones. Notably, we have received complaints from applicants, the Planning Commission, and the public, that the use of the Allowable Use Permit in many cases is not necessary. The Community Development Department embarked on updating the Land Use Code several years ago with the following goals:

Project Goals:
1. Ensure a more predictable and timely permitting process;
2. Increase staff efficiency and reduce unnecessary Planning Commission workload;
3. Eliminate inconsistencies and outdated provisions;
4. Eliminate unnecessary duplication of state and federal permit requirements;
5. Provide clear definition of terms, consistent with those used in other provisions of CBJ Code as well as state and federal agencies;
6. Clarify roles in relation to state and federal agencies and address gaps in the permitting process; and
7. Provide clear language easily understood by the lay person.

Several elements of the original update project have been completed and the remaining four are in their final stages of review and adoption. The emphasis of this status report will be a review of the final four elements of the Title 49 update project listed as items “g” through “j” below. The Public Improvements Ordinance and the Subdivision Regulations, items “g” and “h” below, are inextricably tied together and should be adopted concurrently. During the course of the update – as may be expected with changing needs of the community – additional amendments have been proposed or made to the Code. The original update elements as well as the added changes to the Code, and the status of each, are as follows:
Original Elements of Update:

a. Yard Setback Amendments – completed
b. Electronic Mapping – completed
c. Canopies – completed
d. Table of Dimensional Standards – completed
e. Parking Standards – completed
f. Traffic and Access – completed
g. Public Improvements – see Exhibit 1
h. Subdivision Regulations – see Exhibit 2
i. Historic District Design Standards – see Exhibit 3
j. Table of Permissible Uses – see Exhibit 4

Comprehensive Plan/Affordable Housing Amendments: (some are covered above)

k. Single Room Occupancy (SRO) and Accessory Apartments Ordinance – staff draft completed, not reviewed by Planning Commission
l. Affordable Housing Overlay District (AHOD) and Transit Oriented Corridor (TOD) – early staff draft prepared, not reviewed by Planning Commission
m. Rezoning related to Comprehensive Plan Update – North Douglas Area in process
n. Rezoning Process Review – not initiated

Other Title 49 Amendments:

o. Wireless Communication Facilities – research conducted, staff draft ordinance prepared
p. Recreational Vehicles (for visitors) – staff draft ordinance prepared
q. Cottage Housing Ordinance – completed
r. Panhandle Lot amendments – completed
s. Public works facilities – completed
t. D10-SF creation – completed
u. Bungalow Lot Ordinance – completed