

Presented by: The Manager

Presented: 10/23/2023

Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-39

A Noncode Ordinance Authorizing a Cold Weather Emergency Shelter at 1325 Eastaugh Way.

WHEREAS, the Assembly Taskforce on Homelessness recommended the creation of a Cold Weather Emergency Shelter (CWES) in 2017, and the CBJ has operated one since in partnership with local community non-profit organizations; and

WHEREAS, in June of 2023, a request for bids was issued for a CWES operator, and no bids were received; and

WHEREAS, staff and community organizations began considering alternative options that met criteria: large open space with good sight lines, enclosed, heated, restrooms, and transportation options; and

WHEREAS, after considering numerous alternatives, the Thane Warehouse at 1325 Eastaugh Way became the best option for the CWES because it could meet criteria, it was not adjacent to a residential neighborhood, it was not adjacent to an elementary school, and the St. Vincent de Paul offered to staff the CWES; and

WHEREAS, according to CBJC 49.25.300.7.200, assisted living uses—like the CWES—are normally prohibited in an industrial zone—like at 1325 Eastaugh Way; and

WHEREAS, it is reasonable and necessary to temporarily waive the Title 49 use prohibition for the CWES to be located at 1325 Eastaugh Way upon balancing the public health, safety, and welfare.

THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Exempting the CWES from Title 49 requirements. The provision of a Cold Weather Emergency Shelter at 1325 Eastaugh Way is an essential public facility/service and is exempt from any and all requirements and prohibitions of Title 49.

Section 3. Five-year Sunset Clause. This ordinance automatically expires and shall have no further effect on and after June 30, 2028.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 13th day of November 2023.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk