

Title 49 Rewrite Project Introduction & Committee Kickoff

Ad Hoc Title 49 Advisory Committee
28OCT24



1

Presentation Agenda

- Why was this Project/Committee Created?
- Title 49 Project Vision
- Title 49 Basics Refresher
- Title 49 Rewrite Committee Basics
- Title 49 Project Phases Explained
- Title 49 Project Workflow



2

Why Was The Title 49 Project Created?

- Title 49 has been identified as a barrier to development and Assembly goals
- Title 49 has aged to the point that a large-scale overhaul/rewrite is a very appropriate action
- The project is too large to be absorbed by existing CDD staff and required a separate team



3

Title 49 Project History

- Title 49 Rewrite identified as a project at 2023 Assembly retreat
- Project approved June 2024 in FY25 budget
- Special Project Planning Manager joins CBJ August 2024
- Ad Hoc Title 49 Rewrite Advisory Committee appointed by the Mayor September 2024
- Committee meets for first time October 2024
- Contract Attorney joins team October 2024



4

Project Vision

The updated Title 49 will be streamlined and easy to understand, improving the experiences of the public, the development community, and CBJ staff. Title 49 will be modernized to better meet current needs and set CBJ up for success in the future.



5

What is Title 49?


- Title 49 is the Land Use portion of CBJ's Code of Ordinances
- Title 49 covers zoning districts, allowable uses, parking, dimensional standards, subdivisions, permits, and much more
- The current iteration of Title 49 was written in 1987 and has been amended many times since



6

Title 49 Purpose and Intent (49.05.100)


- Enact the comprehensive plan
- Grow CBJ in a way that is aligned with the values of its residents
- Maximize benefits of growth while minimizing the negative impacts
- Ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities
- Promote public health, safety, and general welfare
- Provide adequate open space for light and air
- Recognize the economic value of land and encourage its proper and beneficial use



7

Title 49 Chapters


49.05 Establishment	49.55 Financial Responsibility
49.10 Administration and Compliance	49.60 Bonus Procedures and Policies
49.15 Permits	49.65 Specified Use Provisions
49.20 Appeals, Variances and Interpretations	49.70 Specified Area Provisions
49.25 Zoning Districts	49.75 Rezonings, Special Standards, Regulations and Text Amendments
49.30 Nonconforming Situations	49.80 Definitions
49.35 Public and Private Improvements	49.85 Fees for Land Use Actions
49.40 Parking and Traffic	



8

Title 49 Administration – Planning Commission


- Planning Commission has the following duties under 49.10.170:
 - Comprehensive plan review
 - Review of the capital improvements program
 - City and borough land disposals and projects
 - **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
 - Land use actions and related decisions – plats, permits, appeals, variances, boundary interpretations, similar use determinations, etc.



9

Title 49 Administration – CDD


- CDD Director is authorized to carry out duties set forth in Title 49 (49.10.500)
- The Director may delegate authority to staff to assist in the administration of Title 49



10

Ad Hoc Title 49 Rewrite Advisory Committee


- Created in September 2024
- Members Appointed by Mayor Wheldon:
 - Gregory Smith, CBJ Assembly, - Committee Chair
 - Mandy Cole, CBJ Planning Commission
 - Maggie McMillian, Juneau Chamber of Commerce
 - Lorraine DeAsis, Tlingit-Haida Regional Housing Authority
 - Corey Baxter, Building Trades Representative
 - Rich Harris, Development Community Representative
 - Bill Heumann, Development Community Representative



11

Committee Purpose


- **Provide strategic advice** to the Manager's Office and the Assembly
- Advance a rewrite of Title 49, CBJ's land use code



12

What is This Committee's Charge?


- Phase 1
 - Review and recommend sections of Title 49 for removal, improvement, or replacement
 - Evaluate and provide feedback on proposed Title 49 text amendment concepts before they are routed to the Assembly



13

What is This Committee's Charge?


- Phase 2
 - Advise on public engagement strategies related to zoning and development topics and assist in the interpretation of feedback received
 - Review and comment on the concepts, standards, and processes to be retained, modified, or created for the next generation of Title 49
 - Ensure consistency is maintained between the updated Comprehensive Plan and the revised Title 49
 - Provide input on the form and structure of the rewritten Title 49



14

Committee Output


- Strategic advice to project staff
- Recommendations to the Assembly on proposed text amendments



15

What is Outside the Committee's Scope?


- Financial Issues
- Comprehensive Plan Update (Separate Project)
- CDD Operations
- Review of Specific Development Projects
- The Committee does not approve/deny Title 49 Project work product



16

Phase 1 Elements


Wayward Code	Unfulfilled Aspirations
Process Improvements	Unfinished Business



17

Phase 2 Elements

Transformative Change
Restructuring
Translation to Plain English



18

Phase 1 – Prioritizing Considerations

- Is it supported by the 2013 Comprehensive Plan and/or other adopted plans?
- Does it streamline a process and/or remove barriers to reasonable development?
- Does it move forward one or more 2024 Assembly Goals?



19

2024 Assembly Goals

- **1. Housing** – Assure adequate and affordable housing for all CBJ residents
- **2. Economic Development** – Assure Juneau has a vibrant, diverse local economy
- **3. Sustainable Budget and Organization** – Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community
- **4. Community Wellness and Public Safety** – Juneau is safe and welcoming for all citizens
- **5. Sustainable Community** – Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.



20

Plain English Explained

- Plain English documents are organized in a consistent and logical way, with familiar words and simple sentences that maximize reader comprehension¹
- A plain English zoning code is easily understood by all users, including residents, applicants, planners, and local officials¹

¹Quoted from: Zoning Codes in Plain English by Ben Noble in 2015 for the American Planning Association



21

Title 49 Project Workflow

- Title 49 Advisory Committee provides guidance on code amendment initiatives
- Manager's Office develops amendment to Title 49 in collaboration with CDD and contract attorney
- Assembly decides whether to initiate text amendment process (49.75.410);
 - If yes, Assembly sends draft to Planning Commission for comments/recommendation with a targeted return date (i.e., 60 days)
- Planning Commission reviews amendment and holds a public hearing;
 - Commission may refer amendment to subordinate committees if desired but must adhere to the Assembly's timeline
- Amendment returns to Assembly and is routed to Assembly-level committees as needed
- Assembly considers adoption of amendment
- If adopted, text amendment is implemented by CDD



22



23

Thank you!

Rob Dumouchel
Special Project Planning Manager
rob.dumouchel@juneau.gov



24