Presented by: The Manager
Presented: 04/29/2024
Drafted by: R. Palmer III

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2024-18**

**A Noncode Ordinance Authorizing a Designated Campground Primarily for People Experiencing Homelessness as an Essential Public Facility and Exempting it from the Requirements and Prohibitions of Title 49.**

WHEREAS, the City and Borough of Juneau ("CBJ") has been operating a seasonal campground in partnership with community organizations in some fashion since the early 2000s; and

WHEREAS, the CBJ has operated a facility for people experiencing homelessness during the COVID-19 pandemic and most recently in the winter months as an Emergency Cold Weather Shelter (Ordinance 2023-39), which closed in April 2024; and

WHEREAS, due to a variety of human and landscape reasons, including poor access and visibility of the Mill Campground, the location of that campground at the end of Gastineau Avenue has become untenable for campers and the immediately adjacent neighborhood, especially without additional improvements and services; and

WHEREAS, staff and community organizations began considering alternative options that will hopefully mitigate some of the concerns experienced last summer by improving access and visibility, without materially changing the availability of the program; and

WHEREAS, Ordinance 2024-14 was introduced on April 1, 2024, which would authorize a designated campground at 100 Mill Street, and the Assembly heard public comments regarding the need for people experiencing homelessness to safely live and sleep in the warmer months, construction activities at 120 Mill Street, experiences from the operator of the Cold Weather Emergency Shelter at 1325 Eastaugh Way (Ordinance 2023-39), experiences from residents living near the Mill Campground, and experiences and concerns from people living and working at the Big Rock Dump; and

WHEREAS, siting a designated campground for people experiencing homelessness is incredibly difficult because the location needs to balance multiple public policies and sometimes conflicting concerns like the following: visibility with privacy, accessibility with seclusion, proximity to food and services with separation from vulnerable infrastructure and businesses, habitability with public costs, amongst other concerns; and

WHEREAS, CBJ staff and the Assembly have explored siting a designated campground for the warmer months at numerous locations including:

- At the prior Mill Campground, which is at the end of Gastineau Avenue (~915 Thane Road);
- At the prior Thane Campground (~1585 Thane Road);
- At the Little Rock Dump (~1540/1550 Thane Road);
- At Docks and Harbor's managed property between the Big Rock Dump and the Little Rock Dump (~1570 Thane Road);
- At the Juneau-Douglas Treatment Facility (~1540 Thane Road);
- At 100 Mill Street; and
- Outside at the Emergency Cold Weather Shelter (1325 Eastaugh Way); and

WHEREAS, none of the above locations are ideal, and neither is the alternative of not having a designated campground location which will likely result in individuals camping in dispersed locations; and

WHEREAS, according to CBJC 49.25.300.7.200 (assisted living uses) and to CBJC 49.25.300.21.200 (campground)—a campground intended for people experiencing homelessness would be a hybrid between the 21.200 and 7.200 uses—both are normally prohibited in industrial and waterfront zones and may take too long to complete the permitting and potential appellate process in other zones given the immediate needs for people experiencing homelessness; and

WHEREAS, the Assembly exempts the Planning Commission from reviewing this ordinance (CBJ Charter 3.16(c)); and

WHEREAS, it is reasonable and necessary to temporarily waive the Title 49 requirements and prohibitions for siting a designated campground primarily for people experiencing homelessness upon balancing the public health, safety, and welfare; and

WHEREAS, the intent of this ordinance is to provide authority and a process for a space and services for people experiencing homelessness in the warmer months, approximately from April through November; and

WHEREAS, if the Assembly decides that a designated campground is not currently in the public's best interest, the Assembly is free to designate a campground at a later time consistent with this ordinance.

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. Essential Public Facility/Service.** A campground for people experiencing homelessness, including necessary and associated services and infrastructure, is an essential public facility and service.

**Section 3. Essential Public Facility/Service Exemption from Title 49.** An essential public facility and associated service, like a designated seasonal campground for people experiencing homelessness, is exempt from any and all requirements and prohibitions of Title 49.

**Section 4. Designated Campground for 2024.** The Assembly is not currently designating a campground for people experiencing homelessness in 2024. After adoption of this ordinance and upon experiencing dispersed camping, the Assembly is free to designate a campground for the remainder of the warmer months of 2024 via resolution.

**Section 5. Designated Campground after 2024.** The Assembly is authorized to designate a campground for people experiencing homelessness after 2024 by resolution on an annual basis.

**Section 6. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this 13th day of May 2024.

Michelle Hale, Acting Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk