

Agenda

Planning Commission - Title 49 Committee City and Borough of Juneau

March 5, 2020
Marine View Building, 4th Floor
12:00 PM

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- A. Draft Minutes November 1, 2019 Title 49 Committee Meeting
- B. Draft Minutes December 12, 2019 Title 49 Committee Meeting

IV. AGENDA TOPICS

- A. AME2020 0002: Proposed amendment to Title 49 to include a purpose statement for vegetative cover and landscaping
- B. AME2018 0003: Downtown Zoning

V. COMMITTEE MEMBER COMMENTS AND QUESTIONS

VI. ADJOURNMENT

Meeting Agenda of the City and Borough of Juneau
Title 49 Committee of the Planning Commission

Friday, November 1, 2019
Community Development Department
Large Conference Room, 12:00 pm

Members Present:

Nathaniel Dye, Travis Arndt, Ken Alper

Members Absent:

Shannon Crossley

Staff Present:

Jill Maclean (CDD Director), Alexandra Pierce (CDD Planning Manager), Irene Gallion (CDD Senior Planner), Laurel Christian (CDD Planner), Amy Liu (CDD Planner), Chelsea Wallace (CDD Admin)

I. Call to Order

The meeting was called to order at 12:05pm.

II. Approval of Agenda

III. Approval of Minutes

IV. Agenda Topics

A. Proposed Rezoning of Downtown Juneau Alternative Development Overlay District Area

Ms. Christian informed the Committee that Staff had prepared a memo with discussion points to go over at this meeting. To summarize from past meetings, the Committee and Staff had made some decisions on the Alternative Development Overlay District (ADOD) standards, including a minimum lot size requirement of 3,000 square feet; allow future subdivisions to use the ADOD standards; minimum lot depth will be 25 feet; lot coverage is not changing; vegetative coverage is being reduced to 15% across the board for all zoning districts. Other decisions made include a maximum height for primary uses is 35 feet and accessory use is 25 feet; if someone is in the Light Commercial Zoning District, the current height is 45 feet, but if they wish to utilize the ADOD standards, it will be reduced to 35 feet. Staff revised the boundary line of the ADOD, as well.

Mr. Arndt recalled discussion regarding changes in lot coverage and developers being allowed to use larger setbacks. He asked if this was decided on, as well.

Mr. Dye recalled that the requirements would remain the same.

Mr. Arndt didn't recall this being an issue and thought it may be good to have the requirements remain the same, but thought there had been some discussion on adjusting them.

Ms. Christian recalled that the decision had been made to keep the requirements for lot coverage as is, because the setback box allows almost all of the lot to become developable, so the lot coverage helps restrict that a little

bit. Moving forward, Ms. Christian stated that Staff was hoping to discuss the outstanding questions. The first question was regarding setback exceptions and how the ADOD relates to the current setback exceptions in Code. Some current Code exceptions are more restrictive than the ADOD exceptions and some are less restrictive. Generally, Staff thinks the less restrictive exceptions should apply, but the more restrictive exceptions should not. Another question Staff is hoping to have answered is how residential uses are treated; Mixed Use (MU), as well as Commercial Uses, and if a different process is needed, such as a Conditional Use Permit if someone wishes to utilize the ADOD dimensional standards.

Mr. Arndt asked if the MU zones were taken out of the ADOD boundary.

Mr. Dye replied that MU had been removed from the boundary, but Light Commercial zones still allow for mixed-use development.

Ms. Christian agreed with Mr. Dye and stated that other questions needing to be answered were regarding how duplexes will be treated and if a separate setback exception needs to be created for lots that are still nonconforming to the new ADOD standards. Ms. Christian suggested working through the memo and noted that Ms. Liu had pulled some purposes from past ADOD discussions and put them in the memo, to help keep the Committee and Staff grounded on what they were originally intended for and how things have changed. The original purpose of the ADOD was to change setbacks, lot coverage, and vegetative coverage; there would be no changes to height, density, or parking.

Mr. Dye clarified where the original intent was spelled out – the bottom of page two of the memo.

Ms. Christian stated he was correct and that new purpose says “New zoning should balance the desire to preserve the existing character of the neighborhood with the desire to construct new dwellings that match the existing character of the neighborhood.” It is balancing new development that matches the current character. That is more what purpose has been morphed into from the original ADOD.

Mr. Dye recalled that it had been decided that the ADOD would be a new overlay and not a rezoning, so it may be better not to say “new zoning”.

Ms. Christian said the language could be adjusted, because the intent is not to change the zoning.

Ms. Maclean and Mr. Dye made some suggestions for adjusting the language.

Mr. Arndt asked if this would be the purpose statement at the beginning of the Code section, or where this information would be used.

Ms. Pierce stated that it could be the purpose statement used in Code; however, it is not the statement they have been working with. She believes it has good language that distills the concept down in a very straightforward way as the Committee moves forward to try to communicate everything to the public and the Assembly.

Mr. Dye stated it could end up being the premise for the purpose statement in the new ordinance.

Ms. Christian stated that Staff didn’t necessarily intend to write the purpose statement at this meeting. Staff included this information to show where they are coming from and what is being aimed towards with the decisions being made. It is more so background information, but the language can be adjusted. Ms. Christian

then moved forward to discuss setback exceptions. She directed attention to a diagram in the memo that shows one of the setback exceptions that would allow someone to have a balcony that is not more than 5 feet wide, which could extend to the front property line. Staff is recommending that less restrictive setback exceptions apply and exceptions that are more restrictive do not. In this case, it is saying the setback can be zero, where the minimum is 3 feet. Staff is not saying that the total sum is reduced; they are saying that the one line can be reduced.

While Mr. Arndt agreed with Staff's idea behind this example, he felt the wording should be adjusted. He thought the dimension and the number is still to the front of the house. He then gave an example of how he thought it should be looked at.

Mr. Alper asked if this example would work for an enclosed structure, as well.

Ms. Christian stated that was not intended for this example. However, there are exceptions for sheds. She asked if the Committee would not want a shed to be included in setback sum, or only the primary structure.

Mr. Arndt asked if a shed could normally fall within the setbacks.

Ms. Christian replied that there were some parameters for things like that.

Mr. Arndt thought that if a shed is allowed under the current guidelines, then it shouldn't be counted. He then gave an example of what he thought the Code could allow for.

Ms. Maclean understood what Mr. Arndt was portraying; however, she did not completely agree that the regulations should follow his suggestion. She thought that even if there is an exception, sometimes where the setback is dropped all the way to zero feet, then the setback is zero and the other 20 feet in setbacks should have to be made up on the other sides of the property. Otherwise, it might be considered "double dipping."

Mr. Arndt felt that it would not be considered double dipping, because the part of the single-family dwelling would not be able to get any closer to the perimeter than 3 feet.

Mr. Dye agreed with Mr. Arndt, but felt it would be best to hear more from Ms. Christian.

Ms. Christian stated these regulations wouldn't just be in regard to balconies, but would also include arctic entries, which would appear to be like a single-family home. She thought that would make it more difficult in a Staff review to make that distinction and didn't necessarily agree with Mr. Arndt either.

Ms. Maclean agreed with Ms. Christian. She understood that Mr. Arndt was looking to only allow the single-family structure, or the primary structure, to receive the reduction in setbacks, but she thought the regulation should be looser than that. She felt the regulation should allow for anything, even an accessory apartment, to receive the setback reduction, but if that is the case, it sort of is double dipping.

Mr. Arndt clarified that he was stating that anything that would normally need to meet the setback, is where the setback should be measured to. Anything that is exempt, doesn't actually happen.

Ms. Maclean stated that the problem is not that they don't have to meet a setback. They are meeting setback of some sort and it varies, depending on what it is and where it is. She gave some examples to explain what she meant.

Mr. Arndt stated that what he was trying to have remain the same is that if something required a setback currently, then those items should add up to the 20 feet in setback requirements. The other exceptions should not have to add into the 20-foot requirement.

Ms. Christian stated that Code was not saying that there is no setback, it is saying that it is reducing the setback. There are other exceptions, but they still have setbacks, it's just less than what is generally required.

For the example being shown, Mr. Arndt asked if the house could be placed 3 feet back, if the deck was removed.

Ms. Christian stated this was correct.

Mr. Arndt felt that if the deck is added, it should not affect where the house is allowed to be, because the deck is the exception. The deck can extend in, but none of the uses that normally would be limited to 3 feet should be able to go past 3 feet.

Ms. Pierce asked if Mr. Arndt would use the same reasoning for an arctic entry.

Mr. Arndt asked if the arctic entry is a current exemption.

Ms. Christian and Ms. Maclean replied that it is

Mr. Arndt stated that he would apply the same reasoning, then.

Ms. Christian asked if he would also apply the reasoning to a garage exception.

Mr. Arndt stated that he is not trying to change the current exemptions. He just believes that if something would normally have the 3-foot limit, then it should remain that way and the 3 feet should be counted in the sum of the setback.

Ms. Maclean felt that she was not following correctly. She clarified her understanding of what Mr. Arndt was trying to say.

Mr. Arndt felt that Ms. Christian's example being shown was drawn correctly, but the difference in what he was saying is that she didn't include the number from the front lot line to the part where the setback would be measured.

Mr. Dye clarified that the number should have been subtracted from the other 10 feet in setbacks.

Mr. Alper clarified that the exception wouldn't be counted toward the setback sum total. The whole idea is that the house is the house and it is 3 feet off the line and that is not an exception.

Mr. Arndt stated that, that is what he was suggesting.

Mr. Dye and Mr. Alper agreed with Mr. Arndt's suggestion.

Mr. Arndt felt the exceptions are good and should be allowed as they currently are, but felt developers should not be penalized somewhere else by using one of the exceptions.

Mr. Dye asked if Staff's intention was to "penalize" someone for using this method.

Ms. Christian stated it could be taken that way.

With that interpretation, Mr. Dye asked why this was Staff's intent.

Ms. Christian stated that Staff was okay with reducing the 3-foot minimum items, but wanted to keep the 20-foot regulation. She thought it wasn't as straightforward.

As an example, Mr. Dye asked if there were no sliding setbacks and plans were brought in showing the arctic entry exception, forcing the arctic entry past the setback line, if Staff would just make sure that the setbacks are actually there.

Ms. Christian stated he was correct.

Mr. Dye asked if what is being relied on for Staff analysis is what the plans show what will be used for setbacks.

Ms. Maclean asked if someone was to build a single-family home without a balcony today and they barely meet the 20-foot regulation, would they be able to build a balcony later on and if so, how would that work.

Mr. Arndt stated in that situation a Variance Permit would be required, but for his suggestion, a Variance Permit would not be needed. He then drew an example of what he was suggesting.

Mr. Dye stated that for Ms. Maclean's example, they have already maxed the 20-foot sliding scale, so they couldn't get a balcony. However, if they use the exception and don't have to use the sliding 20-feet for the balcony, then they would be able to get the balcony without the Variance Permit. Therefore, Staff is recommending a more restrictive regulation.

Mr. Arndt explained his suggestion with the example he had drawn. After some deliberation, the Committee and Staff concluded the suggestion was that the setback requirement would be 20 feet on a sliding scale, in addition to any specified uses that have exceptions.

Ms. Christian stated that language would need to be crafted carefully for this, because a definition of a structure also determines what the setback requirements are.

Ms. Pierce suggested using a current, real scenario to better understand the regulations. Using a property in the Starr Hill area as an example, the Committee and Staff worked through the requirements and decided that the property would still be conforming if they developed in the way Mr. Arndt had proposed.

The Committee and Staff agreed that these requirements would work well and Ms. Maclean noted that the language used in Code would need to be very precise for these regulations to avoid misinterpretations.

Ms. Christian moved the conversation forward to nonresidential uses. Since there are some Light Commercial (LC) and D18 zones allow some commercial uses, Staff recommends that commercial or mixed use, as in commercial and residential in one building, be allowed to use the ADOD dimensional standards with a Conditional Use Permit.

Mr. Dye asked if all current uses were opt-in.

Ms. Gallion stated that residential uses would be allowed by right, and commercial and mixed uses would be allowed with a Conditional Use Permit. It was not clarified if both were opt-in to use this process.

Ms. Maclean stated the option would be opt-in. However, if the property is a commercial or mixed use type of building, the owner would not be able to use both regulations. They would have to fully opt-in and agree to use all of those regulations only.

Mr. Dye suggested being very clear with this language in Code and using “mixed use development” for these types of situations, so they are not confused with Mixed Use zoning regulations. He asked if there would be a need for the Conditional Use Permit, if this is an opt-in option, instead of just Staff review.

Ms. Maclean stated that it really had to do with the area of where these developments would occur. Some expansion should have a public hearing. Opting into the new regulations could also give owners less restrictive regulations, as well. There aren’t many properties that would need a Conditional Use Permit, but here should be some type of public process for the ones that do.

Mr. Arndt stated that it may be better to move away from requiring Conditional Use Permits and move more towards allowing for Staff to decide. He believes this to be more streamlined for the people who want to develop their land and comply with the regulations. He doesn’t see where the Planning Commission would have grounds to deny a Conditional Use Permit if someone were to opt-in, comply with the regulations, and apply for a Conditional Use Permit.

Ms. Maclean agreed, but noted that the intent in Code is to make it very difficult for Conditional Use Permits to be denied. There just needs to be the option for conditions to be added to the permit to make sure the property owners are staying harmonious with the neighborhood. She also noted that having a Conditional Use Permit come before the Planning Commission could attempt to reduce the chance of an appeal and would reduce the chance in a longer delay if only the Director’s decision was appealed.

Using the Capital Brew Coffee situation as an example, Mr. Dye asked if the problem had been with the setbacks and driving lanes, or the land use.

Ms. Maclean stated that the problem had been with traffic, circulation, and hours of operation, which are items that the Director does not have discretion to condition. However, the Planning Commission does have the discretion to condition on these items.

Mr. Arndt stated that if they property had been in an LC zone, then the hours of operation would not have been of concern and they wouldn’t have needed a Conditional Use Permit. In this type of situation, if they opted in, they would now have more regulations to comply with.

Ms. Maclean stated that the vast majority of uses in the LC zone already require a Conditional Use Permit. It’s supposed to work like a buffer between residential and commercial zones.

Mr. Dye asked if this section of Code could be more precise on if a Conditional Use Permit is required or not, and how things would be looked at based on if a Conditional Use Permit was required or not.

Ms. Christian stated that it could be written so minor development wouldn’t need the Conditional Use Permit review, but major development would.

The Committee agreed this would work well.

Moving forward to duplexes, Ms. Liu recalled that Staff had been asked if any inconsistency and logic with the existing lot size of duplex needed to be reconciled, as the standard lot size is reduced. She stated that Staff has looked at existing duplexes and areas of the lots where they are located. Staff recommends not changing the minimum area for duplexes. This comes back to the purpose of the ADOD and other information that is outlined in the memo previously presented to the Committee.

Ms. Maclean asked if there were only 8 duplexes in the whole area.

Ms. Liu stated that in the D5 zoning district there are only 8 duplexes. There may be other two dwelling unit properties, but they are likely considered multifamily.

Mr. Arndt gave an example and asked why a benefit would be given to going from 7,000 square feet for a single family, but 10,500 square feet for a duplex, instead of 14,000 square feet.

Ms. Maclean stated this was due to the lot not having separate ownership. This also relates to why a duplex is not allowed to have a accessory apartment, whereas a common wall could each have one, because they are on separate lots.

Mr. Arndt felt like this still gives a benefit to duplexes over common walls, because you don't need as large of a lot for a duplex as you do a common wall lot. He asked for the reasoning behind this.

Ms. Maclean stated that when the common wall ordinance was adopted, there was a desire for the lots to be even. However, the common wall ordinance is being worked on currently and there is a recommendation for a decrease in the lot size.

Ms. Pierce stated that this topic had come up a number of times, recently, and it is being worked on. For the purposes here on duplexes, Staff is saying that there are so few in this area, that making changes to them within the Overlay District are not going to benefit duplexes that already exist and Staff does not see a major benefit in incentivizing duplexes for the purpose of this process.

To clarify, Mr. Arndt gave an example and asked what the minimum lot size of the duplex would be.

Ms. Liu stated it would need to be 10,500 square feet.

With that lot size, Mr. Arndt asked if they would then be able to use the ADOD dimension setbacks.

Ms. Christian stated they could use the ADOD dimension setbacks, Staff would just adjust the lot size to 10,500 square feet. If it were multifamily, it would just be what the density lot size is. Staff is not propose a change to density. She stated that 10,500 square feet could be put into the ADOD dimensional standards table, if that would help clarify things.

Ms. Pierce stated that Staff is not trying to make a full rezone here. Duplexes are such a small part of this and it doesn't seem like providing incentives for duplexes would accomplish much.

Mr. Arndt asked how a property owner should know that they can get more out of a 10,500 square-foot lot, if it isn't made clean and incentivized.

Ms. Maclean stated that everything outside of the D5 zone would consider it multifamily, instead of a duplex, so they would have clear options.

Mr. Arndt asked if the same density math should be used in the table.

Ms. Maclean stated that that math wasn't used for the single-family residential zoning districts.

Ms. Pierce stated there was an option in the table to reduce based on the existing ratio, though.

Mr. Arndt asked if this duplex information work with the new proposals they are making in updating the ordinance.

Ms. Maclean stated that the changes were being proposed in the common wall ordinance, not for duplexes.

Mr. Arndt asked what the parent lot size for the common wall ordinance is and what size the lots could be subdivided into.

Mr. Dye stated that they could be subdivided into two 6,000 square foot lots.

Mr. Arndt felt the duplex regulations should match that of the common wall regulations.

Ms. Pierce stated this could be done with option 2 in keeping the common ratio. However, this could start a cascade effect. She noted that this isn't a problem that CDD sees very often, so that is why Staff recommended no changes.

Mr. Alper felt there shouldn't be such a contradiction between the common walls and duplexes. He noted that going down the Option 2 track may also result in some issues.

Ms. Maclean pointed out that one missing aspect is that a common wall is its own lot and can have an accessory apartment, but an accessory apartment does not count towards density. She asked if a duplex doesn't count towards density either.

Ms. Christian stated that a duplex is two dwelling units.

Mr. Alper noted that in the end this could result in a common wall having accessory apartments for both units resulting in four total units, whereas a duplex with an accessory apartment would only have 3 units total and parking likely wouldn't be much different.

Ms. Maclean stated that the parking actually would be different. Each common wall unit requires two parking spaces and one for the accessory apartment. Whereas, duplexes would be two spaces for the single family and one for the duplex.

Ms. Liu pointed out that calculating Option 2 would still contradict the logic of the D10 zone, because it would be stating that you need a bigger lot in D10 to achieve the same outcome in D5.

Ms. Maclean agreed, and noted that Staff is not trying to change D5 dimensional standards, but trying to change the Overlay District standards. This makes things less uncomfortable, because this won't make D5 contradict with D10, it will only adjust things in the Overlay District standards.

Ms. Christian gave an example of what Option 2 could give a property owner.

The Committee agreed with Ms. Christian's interpretation and felt this would work well.

Ms. Liu gave an example and asked if it would work in the Overlay. After some deliberation the Committee agreed that this example resulted in some problems.

Ms. Pierce pointed out that CDD really sees very few duplexes, so this topic could be tackled when the time came with the Land Use maps in the new Comprehensive Plan. There weren't many problems that could be solved by changing regulations through the ADOD.

Mr. Dye stated he was okay with Option 2 and not altering D10 or D18 would help lay the work for when a rezone came to be to solve more issues. He asked if the Committee was okay with Option 2 and 4,500 square feet for only D5. The Committee agreed this was a good option.

Ms. Christian moved the conversation forward to setback exceptions. Staff proposed that a new setback exception be created to live in the Overlay District for lots that don't meet the minimum lot size, so they can get their sum of setback reduced. She gave an example of how this would work. She stated this would be similar to how the sides and rear are regulated in current practice; Staff is just proposing to expand that.

Mr. Arndt spoke in favor of the ratio idea with a minimum of 12 feet, 3 feet on side.

Mr. Alper like that this created a hard minimum.

Mr. Arndt agreed, but noted that it would be important to do the nonconforming situation review work, before deciding that this regulation could be used.

Ms. Christian stated that work would be required for any building permit, so the review would be done.

Mr. Dye asked if Staff needed language for Code regarding becoming legally nonconforming.

Ms. Maclean stated that was not necessary right now. Language would be worked on, but Staff did not want to add to any confusion on nonconforming.

Ms. Christian asked if the Committee had any outstanding questions for Staff.

Hearing none, Ms. Pierce stated that Ms. Gallion has been working on draft ordinance language.

Ms. Maclean asked if the Committee would like to see the draft ordinance after the Law department made revisions, or if they preferred it go to the Committee of the Whole.

The Committee stated they would like to see it first.

Mr. Alper asked if that would be draft ordinance would be what is before the Committee now in Appendix A.

Ms. Pierce stated that Appendix A was included, because setbacks were being discussed, but it was just part of the thought process.

Ms. Maclean stated that the ordinance would be brought back to the Committee after Law reviewed it. She asked when the Committee would like to meet again, noting some travel coming up. She also noted some topics the Committee needed to discuss and when those items may be ready for discussion.

After some discussion, the Committee decided to meet again on December 12.

V. Committee Member Comments and Questions

VI. Adjournment

The meeting adjourned at 1:31 P.M.

Meeting Agenda of the City and Borough of Juneau
Title 49 Committee of the Planning Commission

Thursday, December 12, 2019
Community Development Department
Large Conference Room, 12:00 pm

Members Present:

Nathaniel Dye, Ken Alper, Shannon Crossley

Members Absent:

Travis Arndt

Staff Present:

Jill Maclean (CDD Director), Irene Gallion (CDD Senior Planner), Amy Liu (CDD Planner), Chelsea Wallace (CDD Admin)

I. Call to Order

The meeting was called to order at 12:06 P.M.

II. Approval of Agenda

MOTION: *by Ms. Gallion to add "Update of public outreach meetings" as an item to the agenda.*

The motion passed with no objection.

III. Approval of Minutes

A. Draft Minutes October 2, 2019 Title 49 Committee Meeting

MOTION: *by Mr. Alper to approve the October 2, 2019 minutes.*

The motion passed with no objection.

IV. Agenda Topics

Ms. Gallion gave an initial debrief of the public meetings held to introduce the Alternative Development Overlay District (ADOD) to the public. She stated that about 45 members of the public attended the meetings. A PowerPoint presentation was given at the meeting, showing the different aspects of the ADOD, along with a handout that people could take home with them and refer to later on. They also gave the option for on-the-spot feedback with comment cards people could fill out. These comments were taken, other comments came in after the meeting as well, and draft responses have been drafted for these comments. Ms. Gallion presented a memo summarizing all of the work from Staff and the comments that had been received. She also presented a draft ordinance for the ADOD for the Committee to review and give feedback on. The draft ordinance was used to capture the opening position of what the Committee has intended with the regulations set forth.

Referring to the graphics on page 4 of the draft ordinance, Mr. Alper asked where these images had come from and if the Committee had seen these before.

Ms. Gallion stated that those images were taken from the existing Code on setbacks.

Mr. Dye asked if Ms. Gallion had anything specific in the draft ordinance or on the public meetings that she wished to discuss at this time.

Ms. Gallion thought it would be good to look at some of the on-the-spot comment cards from the public meetings. In the memo, she had summarized the comments and ordered them by feelings of approval and disapproval. While it is not statistically significant, it was seen that most people were in favor of what the Committee is proposing.

Referring to the column of "Dislikes Strongly" in the comment summary, Ms. Maclean asked if these comments were from one person, or if three separate individuals had given these comments.

Ms. Gallion stated that each person evaluated each topic, but Staff did not track which person commented on each topic. So, it could have been one person who strongly disliked those topics, or it could have been three separate individuals.

Mr. Dye noted that there were about eight people who commented.

Ms. Gallion stated that Staff received seven comments, and one person had commented twice.

Mr. Dye asked Staff's big takeaway from the public meetings and the overall themes of the comments.

Ms. Gallion stated that the more complex issues are related to nonconformance; how what the Committee is proposing works with nonconformance ordinance that is before the CBJ Assembly now; and if a property is nonconforming to ADOD, can they still participate in the ADOD. There was a lot of discussion about lot size, what it means, and why we care. Staff noticed that the two meetings had very different tones, with the first meeting being very tense.

Ms. Liu agreed with Ms. Gallion and noted that people generally seem to like the direction the Committee is taking. However, some people were not completely comfortable with how small some of the numbers are, such as vegetative cover and lot size. Overall, though, most people are generally happy with the regulations.

Mr. Alper, who was present at the public meetings, stated that he felt a sense of misunderstanding when it came to lot size and most people didn't seem to realize how small some of the lots downtown are. Some people had a perception that these proposals could open up the option to build large apartment buildings in their backyards, but that is not the case.

Ms. Maclean also noted that there were a number of people at the second meeting who acknowledged that they have larger lots, but don't want their neighbors to have the same opportunity. They recognize that they need to be more objective, though. Staff could alleviate some of these concerns by stressing that current zoning won't allow more large apartment buildings to be developed downtown anymore. There were some struggles in communicating that 18 units per acre does not mean someone could build 18 units on their 5,000 square-foot lot. Ms. Maclean believed that more time with the public to discuss these things would help alleviate more concerns.

Ms. Liu noted that Ms. Gallion did a great job of explaining to the public what the ADOD is, but due to the public's limited understanding of how zoning works, there were questions about what it is and what it is not. Communicating what the ADOD is not could help address some of the concerns, as well.

Mr. Dye asked if the name was being changed from ADOD.

Ms. Gallion stated that at the moment Staff was referring to it as the Downtown Juneau ADOD, because that is what is currently in Code. There is some confusion about existing ADOD vs. the new ADOD, though, so the name could be changed.

Mr. Dye thought that giving it a new name may be more helpful for the public.

Ms. Maclean pointed out that, unfortunately, changing the name now would create extra work for Staff, because the permits had been filed with the current name, so a lot would need to be updated.

Mr. Dye suggested informing the public that this is an update to the ADOD, and not a rezone or a new overlay, to help clarify matters and make it easier to understand.

Mr. Alper spoke in favor of continuing with the current name, while communicating that it is an update and not something entirely new. He thought this would be helpful to the public and make things easier for CDD Staff, as well.

Ms. Maclean stated that Staff would also need to check with Law and make sure this doesn't get confused with the work being done for Douglas.

Mr. Dye asked if there was a reason to set the ordinance up in a way that help separate this ADOD update from the Douglas and future updates.

Ms. Maclean stated that some adjustments may be needed, but those would come forth in time. She noted that there are other Overlay Districts currently, as well.

Mr. Dye asked if they are all within 49.70.

Ms. Liu stated that the parking overlays are not in 49.70.

Ms. Gallion asked if the process could be opened up again when the Douglas overlay goes through, if someone strongly disliked the work being done here.

Mr. Dye believed this wouldn't be possible. He asked if there any other overlay districts that are specifically similar to items in the ADOD.

Ms. Liu replied that there is a convenience store overlay that is similar. It is quite small, but it is similar.

He asked what feedback is needed from the Committee at this time.

Ms. Gallion stated that the points at the beginning of the memo highlighted what Staff needed from the Committee. She noted that the public has until the end of January to submit comments, as well.

Ms. Maclean recalled that subdivisions came up as a topic of discussion at the second public meeting, and concerns were expressed. She thought it would be important to give a clear explanation of what lots could and could not be subdivided, especially regarding the mass wasting areas.

Mr. Dye asked if there was a consensus to allow subdivisions through the ADOD.

Ms. Maclean stated that there was a consensus to allow them, but Staff could inquire with the Law department to be sure if they could be allowed through the ADOD process.

Mr. Dye noted that property owners wouldn't be subdividing through the ADOD minimum lot size, but through the current code requirements.

Ms. Maclean pointed out that if a property owner could legally subdivide under current Code, then they could subdivide and then use the ADOD regulations. Law would have to weigh in on if they are allowed to have the reduced lot size for the existing properties, though.

Mr. agreed. He asked what was heard as the biggest concern from the public.

Ms. Liu recalled that the public were very concerned with the small numbers for setback regulations. There were also concerns expressed in the lack of vegetative cover requirements.

Ms. Maclean asked if the Committee thought a walking tour might help the public better understand what current situations look like and compare these to what is being proposed.

Mr. Dye asked if Staff had presented the same slides to the public that had been shown to the Committee.

Ms. Liu stated that Ms. Gallion had given a very informative presentation clearly showing accurate representations of what development could look like.

Mr. Alper recalled his personal experience with an ADOD property. He asked if it was possible to create a metric showing how many lots currently have an average setback of more than three feet.

Ms. Liu stated she had already done this.

Mr. Alper thought this information would be helpful in visualizing development.

Mr. Dye expressed concern with the margin error, since the data was mostly gathered using aerial photos and GIS overlays. The Committee does not want to push information that could be skewed.

Ms. Gallion expressed concerns with a walking tour. She thought this might bring about some adverse feelings between neighbors and one neighbor wanting to make an example of another neighbor. There are some sensitivities in this area. She noted that the slide on lot size showing the map was not shown at the public meetings, but it could be presented at future public meetings, if they occur. She did show an example of what seven feet between neighboring houses looks like, though. She also expressed concerns with the data gathered using GIS overlays.

Mr. Dye felt the big overall pictures paint a pretty good picture, but what is shown on the big map helps a lot, too. Hazard zone mapping could be shown, but those will be changing, so it may not be better to show those now. He suggests pursuing investigation of what can be done to prevent subdivisions. If people can subdivide under current zoning, then they should be able to, and then go into the ADOD, but using the ADOD to rezone could become problematic. He thought the graphic used to portray the sliding scale was beneficial and could be helpful in

clarifying regulations to the public. However, he was surprised that the public didn't like the vegetative cover regulations.

Ms. Gallion suggested waiting to see what kind of comments come in from the public on this to see what the real concerns are, because some people were also okay with it. She then summarized the items the Committee had discussed, and what Staff should plan to work on.

Mr. Dye noted that Staff should be very careful with the language regarding mass wasting when presenting to the public. If the Law department says that subdividing isn't allowed, then the whole topic should not be discussed, so there isn't any confusion.

Ms. Crossley stated that she was surprised about the comments on lot coverage. She noted that what she has seen from the private side is that people are very interested in adding accessory apartments.

Mr. Alper noted that accessory apartments will have a roof and that will work into lot coverage.

Ms. Crossley agreed, but pointed out that it still increases the footprint of the building.

Mr. Alper stated that that is encouraged.

Ms. Crossley asked about the community members that were unhappy, and asked if they were unhappy because something was built in their neighborhood that they didn't necessarily like and don't want that to keep happening.

Ms. Gallion stated that it seemed the concerns were more about future development.

Ms. Crossley asked if Staff had pointed out that these aren't design standards and these regulations don't speak to what a house can actually look like.

Ms. Gallion stated that that could be reiterated more at future public meetings, but Staff had done well in explaining that this isn't about what you can build, but is about where you can build on your lot. They did have a question on how this would interact with the Historic District standards, though. One person expressed that they did not want to see design review boards come into fruition, as well.

Mr. Dye spoke in favor of not having design standards or design review boards. He asked what direction Ms. Crossley was looking to go with that information.

Ms. Crossley stated that she was just curious to see how people feel about new development and how it fits with their neighborhood character.

Ms. Crossley asked how many ADOD permits exist currently.

Ms. Liu stated that there are only a handful of ADOD permits.

Ms. Crossley asked if there were any neighbors who spoke in favor of the changes.

Ms. Gallion stated that there were a number of people who were appreciative of the changes and were happy with what the Committee is proposing.

Ms. Maclean felt that the people who have gone through the Variance process in the past see these changes as an easier way forward with development. Her general impression is that people were concerned with the unknown of the future developments and change, but nothing completely specific.

Ms. Crossley asked if there was any interest heard from the public for future meetings, so they could get their neighbors to come.

Ms. Gallion stated that Staff had not heard requests for more meetings, but they had let people know that they had the option to come in and meet with the planners to ask more specific questions and get more information.

Mr. Dye asked if there were intentions to host more public meetings.

Ms. Gallion stated that more public meetings could be held, but that wasn't necessarily the intention. She also noted that public meetings will be held for the changes coming to Douglas, so there would be more opportunity for outreach then.

Mr. Dye asked if Staff felt they should host more public meetings.

Ms. Gallion replied that the comments received from the public should help Staff decide if more meetings are necessary. However, she had given an overview at the meetings that the public would have another chance to give input when the topics come to the Planning Commission.

Ms. Maclean noted that if Law says subdivision can be excluded, then that would be another reason to host more public meetings.

Ms. Liu asked for the Committee's perspective on the value of reducing lot area in the ADOD and possibly bringing more lots into conformity for lot area, if subdivisions are not allowed.

Mr. Dye stated it would reduce the need for nonconforming status reviews, from that point of view. It would be another avenue of not being labeled nonconforming, which has potential interest of the public and it might feel less daunting for them to develop.

Ms. Maclean asked if the Committee was interested in decreasing the minimum lot size, if subdivisions are not allowed, to help gain more conformity.

Ms. Liu stated that it would also help with regulatory hurdles that are triggered by undersized lots. If a property is no longer an undersized lot, then the owner may no longer have to go through this regulatory hurdle. This would be one way to isolate this effect downtown, and not have necessarily change it for the rest of the Borough.

Mr. Alper asked why the Committee would not want to allow subdivisions within the ADOD.

Ms. Maclean stated that the vast majority of lots large enough to subdivide are in areas that preclude subdividing. If the public's main concern going forward is allowing subdivisions, it may make more sense not to allow them, in order to keep everything moving forward. It would only affect a few lots, as is.

Ms. Liu noted that one potential benefit to becoming conforming is more potential for financial help for the property owner in getting loans or other financial assistance.

Mr. Dye noted that some areas where the ADOD really comes into play is during expansion outside a structure for lot coverage. The ADOD picks up the slack for accessory apartments in the Overlay District, where nonconforming won't. If subdivisions are removed, then you could increase the ability, or ease, of people getting accessory apartment permits on those smaller lots. With this in mind, he wondered if a minimum lot size would need to be written in Code if subdivisions aren't allowed.

Ms. Maclean stated that the accessory apartment ordinance, as drafted, removes the need for a Conditional Use Permit on undersized lots, if you can meet the parking requirement. As to removing the minimum lot size requirement completely, she asked how lot sizes in other zoning districts could be justified if this area didn't need one.

A. Development Application Materials

Ms. Maclean stated Staff was looking for direction on what would need to be presented to the Planning Commission to determine what development application materials should look like. She noted that when someone applies for a Conditional Use Permit, there aren't specific requirements for drawings, as-builts, photos of the site, and other items, but these items would help Staff in their review process and also make it easier for the Planning Commission and the public to see what is being proposed. She gave an example of a situation where a Conditional Use Permit was applied for, but the information given was not sufficient enough to give an appropriate review. Staff has also heard complaints that permits aren't turned around fast enough, but having all of the needed information up front could help with this.

Mr. Dye asked if Ms. Maclean is looking to make an amendment to Title 49 that lists requirements for specific permits, or if this was just for the first page of the development permit.

Ms. Maclean thought it would be best to start with Conditional Use Permits and move forward from there. She believed a Code change would be necessary, because she anticipates push back if it is just a department policy.

Ms. Crossley stated that measured drawings are key in proposed developments. There are options for people to get free, sketched drawings, so there isn't much concern for a hardship. If someone is trying to use architectural drawings for an application, those should be stamped, so it is known that they are professional drawings permissible for proposed development applications. She suggests that site plans and floor plans should be required for permit application.

Mr. Alper stated that he has concerns with making something so stringent to an individual who is trying to make a small improvement to their house or something similar. He thinks that materials should be required on a case-by-case basis.

Mr. Dye spoke in favor of just starting with specific requirements to the Conditional Use Permits, as those would be the most likely to need more information. He felt that Staff could start with that and determine a streamlined process, then come back to the Committee or the Planning Commission and let them know where else they would like to make improvements.

Ms. Maclean stated that Staff has found difficulties in telling applicants that more materials are required. Since the application process has been this way for so long, people have become used doing things in a certain way and then give major push back when more information is asked for. In most cases for Conditional Use Permits, this work is already required, we're just asking for it to be done earlier, so a better review can be given and the permit can be processed sooner.

Mr. Dye felt it is important to pursue these Code changes, because the extra information is truly needed for proper review. He also noted that the information would be very helpful if an applicant came back and wanted a modification to the permit, interpretation of language, and determining what their permit allows for.

Ms. Maclean pointed out that the purpose behind a Conditional Use Permit is to make it very difficult to deny a permit. By saying that it is a Conditional Use, Code is saying that 90% of the time, the use should be able to be conditioned in such a way that it fits the neighborhood. Very rarely should a Conditional Use Permit be denied. The better the plans are upfront will also give a better understanding on how the proposed development will affect the neighborhood.

Mr. Dye agreed with Ms. Maclean and spoke in favor of making these the Code changes.

Ms. Maclean asked if this item should stay at the Title 49 Committee with the intent that Staff would be recommending revision to the 49.15 requirements, or if Staff should prepare something to go to the Committee of the Whole.

Mr. Dye recommended keeping this with the Title 49 Committee until an ordinance is drafted and signed off on, then it could go to the Committee of the Whole. He noted that it would be very important to be careful when publicly noticing this, as well.

Ms. Maclean agreed and stated that Staff would also look into what other communities in Alaska require for comparison.

Ms. Crossley suggested looking at other communities that are about the same size as Juneau as well, such as Bellingham, Washington. She asked what the current requirements for Conditional Use Permit application materials are.

Ms. Maclean stated that applicants didn't have to submit professional drawings, but currently could submit drawings on graph paper. This isn't always a problem, but in most situations more in depth drawings would be more helpful. Code change is needed, because trying to explain how the current Code reads now results in push back from applicants.

Mr. Dye felt starting with changes to just the Conditional Use Permit could help with some of the concerns, as well.

Ms. Crossley felt that Staff has some big things and small things to work on day-to-day, so anything that can be done to help streamline their processes will be beneficial.

Mr. Dye clarified that what Staff is looking for in a Conditional Use Permit application is a site plan, as-built, measured/scaled drawings, and lighting.

Ms. Maclean stated this was correct. Staff would also like to have the heights of developments specifically noted, especially with hillside developments. Staff could accumulate this information along with a summary of what other communities do.

Mr. Dye asked if Staff had anything else for the Committee to discuss.

Ms. Maclean stated that the next meeting date needed to be determined.

After some deliberation, the Committee and Staff agreed that the next meeting date would be determined at a later time.

Ms. Maclean noted for the record that a South Douglas/West Juneau liaison needed to be assigned by the Planning Commission.

V. Committee Member Comments and Questions

VI. Adjournment

The meeting adjourned at 1:24 P.M.

DRAFT



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DATE: March 3, 2020

TO: Nathaniel Dye, Chair
 Title 49 Committee

FROM: Allison Eddins, Planner *A. Eddins*

CASE NO.: AME2020 0002

PROPOSAL: Proposed amendment to Title 49 to include a purpose statement for vegetative cover and landscaping

Background

Currently, the CBJ Land Use Code does not include a purpose statement or definition for either vegetative cover or landscaping. Although the Code does include some minimum standards for both, the lack of a purpose statement or definition can make the standards difficult to apply.

Prior to the 1987 CBJ Land Use Code re-write, CBJ did not have a vegetative cover requirement. Today, *CBJ 49.50.300 Vegetative Cover* states “A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table.” A purpose for the vegetative cover requirement is not stated. The record of minutes did not speak to the intent of vegetative cover.

Prior to the 2000s, CBJ had a Design Review Board with authority through Administrative Code Title 4 to review all commercial development to ensure compliance with the architectural, vegetative cover and landscaping standards in Title 4. A purpose for the landscaping requirement was given:

04 CBJ 060.010 (a) Purpose. The intent of this section is to provide minimum landscaping and natural screening requirements in order to maintain and protect property values, enhance the community’s appearance, visually unify the locale and its neighborhoods, reduce erosion and storm runoff, and maintain or replace vegetation.

Proposed Amendment

Staff reviewed all regulations within Title 49 that relate to vegetative cover and landscaping. Based on the context of the regulations, and CDD’s interpretation and application of the regulations, staff is proposing expanding CBJ 49.50, shown below in bold, to include a purpose statement for vegetative cover and landscaping.

CBJ 49.50.300 Vegetative Cover

Purpose. The intent of this section is to provide minimum vegetative cover requirements in order to minimize the risk of flooding and erosion, and to slow the speed and volume of storm water runoff onto surrounding lands.

CBJ 49.50.400 Landscaping

Purpose. The intent of this section is to provide minimum landscaping requirements in order to minimize the visual and noise impacts of a development and to visually unify a development and the surrounding neighborhood. Landscaping means intentional vegetation that includes trees, shrubs, flowers and ground cover. Landscaping can also include natural vegetation that meets the intent of this section.

Sections of T49 Referencing Landscaping and Veg Cover

1. CBJ 49.15.630 Preliminary PUD approval
2. CBJ 49.15.670 PUD design standards
3. CBJ 49.15.760 Cottage housing design standards
4. CBJ 49.15.770 Exterior design standards for cottages
5. CBJ 49.15.900 Alternative Residential Subdivision
6. CBJ 49.40.220 Parking area and site circulation review procedure
7. CBJ 49.40.230 Parking and Circulation standards
8. CBJ 49.50.300 Vegetative Cover
9. CBJ 49.65.430 RV Park design requirements
10. CBJ 49.65.500 Convenience Stores
11. CBJ 49.65.960 Wireless Communication Facility submittal requirements
12. CBJ 49.70.110 New Growth Areas
13. CBJ 49.70.200 Hillside Development
14. CBJ 49.70.960 Special waterfront areas
15. CBJ 49.75.220 Historic District design review standards



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March 2, 2020

MEMO

From: Irene Gallion, Senior Planner 
Through: Alexandra Pierce, Planning Manager
To: Nathaniel Dye, Chair, Title 49 Committee
Case Number: AME18-03

RE: Considering Public Comments in Draft Ordinance Revision

REQUESTED ACTION: Provide edits to the draft Downtown ADOD ordinance.

The purpose of this packet is to facilitate draft ordinance review. Comments received during meetings and the public comment period are organized into two packets: **"Dimensions,"** and **"Other Elements."** These are comments you have seen before, but they are presented in a simplified format to make draft ordinance review easier.

I recommend Commissioners review the **"Dimensions"** packet first. Comments are organized by the elements of Draft Ordinance section 49.70.1430, which outlines dimensional standards:

- a) Lot size
- b) Lot width and depth
- c) Vegetative cover
- d) Structure height
- e) Setbacks

In this packet I've also included comments on 49.70.1440, "Yard Setback Exceptions."

The second comment packet includes comments that are systemic, procedural, or purpose-driven. **"Other Elements"** is organized by topic as it appears in the draft ordinance. Where applicable, the comments have been further broken down into general topics:

- 49.70.1400, Purpose
 - ADOD Process
 - Conformity

- Neighborhood standards
 - Overlay vs. zoning
- 49.70.1410, Applicability
- 49.70.1420, Downtown Juneau ADOD procedure
 - Variances
- Other Topics
 - General
 - Accessory Issues
 - Miscellaneous
 - Meeting Presentation

Attachments to this memo:

- Draft Ordinance: “ADOD Opening Position 7”
- Consolidated comments applicable to dimensions: “DIMENSIONS CONSOLIDATED COMMENTS 2.2020”
- Consolidated comments applicable to other elements of the ordinance, “OTHER CONSOLIDATED COMMENTS 2.2020”

The two original comment analyses were more detailed, including the name of the commenter (when available), where and how the comment was made, and draft responses. The meeting comments analysis was sent out in an e mail on 12.12.2019 from Chelsea Wallace. The comment period comment analysis was sent out in an e mail on 2.10.2020 from Jack Scholz.

BACKGROUND: CBJ’s current Alternative Development Overlay District code is found in 49.70.1200. The existing standards were developed quickly, and have turned out to be cumbersome to execute. Current ADOD standards involve averaging the setbacks of nearby properties. There are many variables in this process, the result being that detail-oriented, well-intentioned people can come up with different answers. Additionally, even relatively minor developments go before the Planning Commission, which increases staff and Commission work load, increases project costs, and delays project start. The Assembly has directed the Planning Commission to update the process by August of 2020. T49 began work with the Downtown ADOD, and will move on to a Douglas ADOD soon.

Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-XX

An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. Chapter 70 is amended by adding a new article XIV to read:

ARTICLE XII. DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

49.70.1400 Purpose.

The purpose of this chapter is to establish zoning that suits the built environment in historic neighborhoods while reducing the number of non-conforming properties. Improving conformance reduces the need for variances or conditional use permits, lessening the burden to property owners.

Dimensional standards:

- (a) Set minimum standards and procedures for construction of new structures;
- (b) Set minimum standards and procedures for expansion, restoration or repair of existing structures;
- (c) Encourage building designs with varied elevations and massing;
- (d) Provide greater design flexibility in the treatment of interior and exterior space;
- (e) Provide a setback area similar to that which would be achieved without averaging corresponding setbacks of neighboring properties;

Commented [LEC1]: Do we want to call this zoning? Maybe "standards"?

Commented [LEC2]: Why do we want to encourage this?

Commented [LEC3]: This to me sounds like use? What do you mean?

Commented [LEC4]: Is without the correct wording?

(f) Establish dimensional standards that support health, safety and welfare of the neighborhood.

49.70.1410 Applicability.

(a) This ordinance applies to property within the Downtown Juneau Alternative Development Overlay District (ADOD) boundary as shown on the map dated August 30, 2019.

(b) Participation in the Downtown Juneau ADOD is optional, unless required to make non-conforming development more conforming.

(c) This section specifically modifies certain dimensional standards. Unless noted in this section. All remaining requirements of the underlying zoning district apply.

(d) This ordinance does not modify permissible uses or the processes outlined in 49.15 Article II.

(e) When the standards of this section conflict with other parts of code, the more specific code will prevail.

(f) When a land owner chooses to use Downtown Juneau ADOD dimensional standards, they must conform to all the standards outlined in 49.70.1440 below.

(g) Downtown Juneau ADOD standards may be applied in development of subdivisions within the ADOD boundary.

49.70.1420 Downtown Juneau Alternative Development Overlay District procedure.

(a) Developers affirm their participation in the overlay district by submitting an alternative development permit application with their development permit application, and any other applications that may be required.

(b) The processes will be governed by permit type in accordance with Chapter 49.15.

49.70.1430 Downtown Juneau Alternative Development Overlay District Standards.

(a) Applicability. The following dimensional standards shall apply to lots within the ADOD boundary regardless of their underlying zoning district designation.

(a) Lot size.

(1) Minimum lot size is 3,000 square feet.

(2) Minimum lot size for a duplex is 4,500 square feet.

(3) Minimum lot size for a common wall structure is 3,000 square feet.

(4) Lots that do not have minimum lot size may participate in the other dimensional modifications of this part.

Commented [IG5]: Opening position, goes to our "new questions" on over-riding other restrictive standards. Do we need this if our exceptions are outlined?

Commented [AP6R5]: I think that's a great discussion to have with Law. My immediate thought is that we may be creating wiggle room that could help us in unforeseen future conditions, but it may backfire similarly.

Commented [JMM7R5]: I agree with asking Law; I made the revision to keep consistent language if this remains

Commented [LEC8R5]: I'd be careful with this statement. May have unintended consequences. Maybe we should do some analysis on possible scenarios?

Commented [LEC9]: What about non-conforming for lot size? Or an existing non conforming setback?

Commented [LEC10]: Do we need a new application name? We use this for current ADOD, not sure if we should change?

Commented [LEC11]: I think we should clearly state minor development follows x and major development follows y and describe how that is determined (TPU)

Commented [LEC12]: Can we do this section as a table? Everything but setbacks works for a table.

Commented [LEC13]: Do we need to state this? I think it helps make it more clear.

Commented [IG14]: Note that the new common wall ordinance has residential and mixed-use in it. Do we want to limit to residential?

Commented [LEC15R14]: LC might be able to have a mixed-use common wall. So we should add both?

(b) Lot width and depth.

(1) Minimum lot width is 25 feet.

(2) Minimum lot depth is 25 feet.

(c) Minimum vegetative cover is 15 percent.

(d) Structure height.

(1) Maximum height for primary uses is 35 feet.

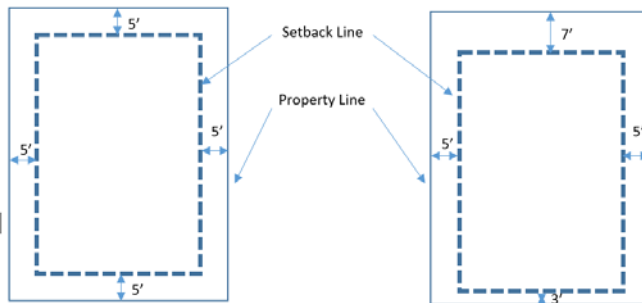
(2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

(1) Setbacks will be measured from the structure closest to the lot line.

(2) The minimum setback for any lot line is three feet.

(3) The sum of all setbacks must equal at least 20 feet.



(4) If lot size is less than required in this section, the required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any side setback be less than three feet.

Commented [LEC16]: Look at wording for existing setback exception. Should this be in the below setback exception section?

49.70.1440 Yard Setback Exceptions.

(a) Purpose. This section clarifies the exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted structures do not count toward the

Commented [JMM17]: Please check that we have Juneau included where it needs to be; I just noticed it here so far

setback total. Nothing in this section is intended to supersede the International Code Council.

Commented [LEC18]: I don't think we need this in there. It's not something we are reviewing for so it's a little confusing.

(b) Methodology.

(1) Architectural features and roof eaves may project into a required yard, but can be no closer than two feet from the side and rear lot lines.

Commented [LEC19]: Existing code says roof eaves can encroach x number of inches per required foot of setback. Can we add those types of numbers to be clear how much can encroach?

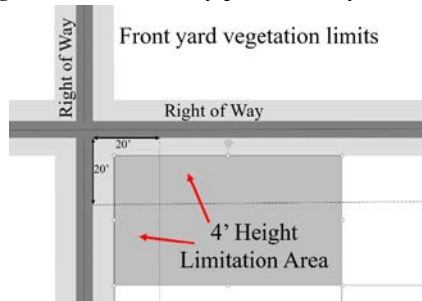
(2) Unenclosed balconies, connecting deck stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street side lot lines provided the structure does not exceed five feet in internal width exclusive of support structure.

(3) A parking deck, no part of which exceeds one foot above the level of the adjoining roadway, and which does not include other uses, is exempt from the setback requirements of this chapter, provided a non-sight-obscuring safety rail not more than 42 inches in height is allowed.

(4) Energy efficiency improvements that do not increase interior square footage, such as exterior insulation, may project up to eight inches into a required yard.

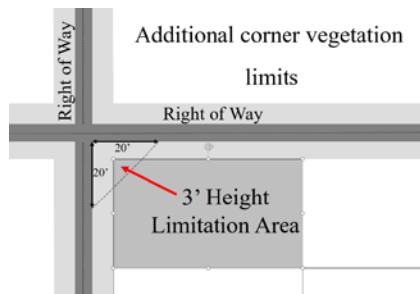
(5) Fences and vegetation. For this section, a "travelled way" is defined as the edge of the roadway shoulder or curb closest to the property.

(A) The maximum height of a sight-obscuring fence or vegetation shall not exceed four feet within 20 feet of the edge of the traveled way. Trees are allowed within 20 feet of the edge of the traveled way provided they do not obscure view from a height



of four feet to a height of eight feet above ground.

(B) On corner lots the maximum height of a sight-obscuring fence or vegetation located within 20 feet of a street intersection shall not exceed three feet. The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 20 feet, then connecting the three points. In this area, vegetation shall be maintained to a maximum height of three feet. Trees are allowed in this area provided the trees do not obscure view from a height of three to eight feet above the ground.



(6) The Planning Commission, through the conditional use permit process, may allow structural projections exceeding setback standards and exceptions outlined above if:

Commented [LEC20]: Would we allow an upfull CU for a nonconforming property? Might need to add that section. I think yes, since it's allowed under current code.

- (A) The affected yard adjoins publicly owned land that has been placed in a park, open space, or similarly restrictive land management classification;
- (B) Projections into the yard are minimized;
- (C) Projections do not negatively impact health and safety, create neighborhood disharmony, or contradict plans;
- (D) Projections do not excessively block views or restrict light and air, or infringe on privacy; AND
- (E) Projections do not have other deleterious impacts.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk

Comments on Dimensions

49.70.1430 Downtown Juneau ADOD Standards

Lot Size

Can some expectations (like lot size) be specific to existing structures? Helping any building conform to minimum lot size is existing very different from allowing lot subdivision.

Bigger structures on smaller lots?

Why is common wall lot size the same as SF?

Square foot of the lot size seems small, a dramatic reduction. Under this regime my neighbors could have 14 units instead of 8 (D18)

What is the number of lots that could be subdivided based on lot size?

Concern: Small developable lots. Don't want infill on tiny lots. (at least 2 people had this concern)

Why do we need minimum lot size?

Single family recommend 5,000, 3000 is too small. Minimum 4000.

Lot size. We agree that 7,000 square feet is too large of a lot size for the Casey-Shattuck neighborhood. Many, if not most, lots in the Casey-Shattuck subdivision are 3,600 square feet and when walking around the neighborhood they are the lots that appear to have adequate room for a house, driveway, garage, patio, outbuilding, garden, etc. without everything being squished together. A look at the Casey-Shattuck subdivision map shows a generally consistent lot size and shape that is 60'x90'. Obviously, several of us already live on much smaller lots (ours is 2,400 square feet) but it is very cramped. In our opinion 3,000 square feet is too small to be a standard lot size in the Casey-Shattuck subdivision. At 3,600 square feet conformance would likely be greater than 70%, which is a small difference to the proposed 3,000 sq. ft. (78%) compared to a significant difference in viability for adequate development. This is a good example for establishing specific standards for each of the various neighborhoods in the ADOD. It also begs the question of trying to make conformance for existing situations just for the sake of conformance. In reviewing the Assessor's database, 3,600 square feet is by far the most common lot size in the Casey-Shattuck neighborhood. We see no logical reason to significantly reduce the minimum lot size to 3,000 square feet, which would capture very little additional conformance while creating more challenges for development.

I strongly oppose the reduction in ADOD lot size to 3000sf. I understand that it brings 78% of residences into compliance, but I don't actually agree that achieving a high rate of compliance is the most important goal in maintaining the nature and habitability of downtown Juneau. I think a 60-70% compliance rate is actually preferable than trying to fit "as many properties as possible" into compliance.

I was left wondering why we don't just make the changes to the set back and undeveloped space calculations, but leave the minimum lots sizes as they are until the comprehensive plan and zoning update are done. Is it because being out of compliance with minimum lot size prohibits any increase in the footprint, regardless of compliance with the set back?

Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below: - Proportion of improvements to lot size. There have been a couple of recent developments in the Casey-Shattuck subdivision that appear to have a significantly greater proportion of improvements to lot size than most of the pre-existing Casey-Shattuck subdivision development. They are significantly more imposing than the overall general character of the Casey-Shattuck subdivision. Please refer to our comments on lot sizes, setbacks, etc. below.

<i>Lot Size, continued</i>
I understand why the setback and green space changes could give a property owner more buildable space, but I am still not clear why it matters if the minimum lot size shrinks — unless owners want to tear down existing buildings and subdivide, which you all explained they probably won't because parking requirements will prevent construction of two new buildings (or would the legal principle that at least one house must be allowed prevail despite lack of parking?)
<u>We believe minimum lot size should be 3,600 square feet for the Casey-Shattuck subdivision</u>
I recommend the ADOD lot size requirements remain at 5000sf, but if necessary, reduce with an absolute minimum of 3500-4000sf. That would bring more properties into compliance, but retain more of the current neighborhood character.
Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below: - Landscaping. Many, if not most, homeowners in the Casey-Shattuck subdivision take pride in the appearance of their house and landscaping. With the small lots and minimal green space, residents can afford to put a little extra energy in what they do have. Most houses have their green space facing the paved street, which we consider to be the front of the house, regardless of the lot's access point. Street side green spaces add to the overall sense of a long established, well-cared for neighborhood.
I got distracted by being exposed first to the map showing lots that could be subdivided, making me think subdivision opportunity was an important motivation (or risk) of the ADOD change. Other meeting participants thought the lot size change would allow new multi-family or apartment buildings.
Also, perhaps explain why it helps if the ADOD makes more existing/grandfathered construction comply with minimum lot size.
<i>Lot Width</i>
I also recommend lot width and depth not be reduced past 30' except where currently less than that measurement.
<i>Lot width, depth, and vegetative cover</i> <i>Width and depth. We believe a 25' lot width is far out of character with the Casey-Shattuck neighborhood. There are very few, if any, lots in the Casey-Shattuck subdivision with such a narrow width. Further, with the proposed 3,000 sq. ft. minimum lot size, a 25' wide lot would have to be 120' long and there are few, if any, lots in the Casey-Shattuck subdivision 120' long. A 25' width does not maintain the character of the Casey-Shattuck subdivision and is much too narrow to accommodate compatible development in the neighborhood. With the proposed minimum 3' side yard setbacks, 19' would be the maximum width for a house. Below we advocate minimum 5' side yard setbacks, which would result in a maximum 15' wide structure.</i>
<u>We believe the minimum lot width should be 35' for the Casey-Shattuck subdivision.</u>
<i>Lot Depth</i>
Recommend 50' not 25'
I also recommend lot width and depth not be reduced past 30' except where currently less than that measurement.

<i>Minimum Vegetative Cover</i>
15% minimum vegetative coverage seems too low - especially after seeing your graphic!
Would like to keep more veg, your change is too much.
Why so low on vegetative cover? Do not see the justification (common concern).
Please make vegetative cover higher.
What is vegetative cover?
Please do not require less than 15% vegetative cover.
In regards to vegetative cover, I recommend retaining at least 20% vegetative cover or more, rather than reducing to 15%. As with lot size, this is related to maintaining the character of downtown properties.
Love to see sight-obscuring regs (vegetation) applied to existing properties.
3' minimum height for vegetation is too high. Some children are less than 3'. If you are in a small car, 3' is still obscuring.
Vegetation is a key esthetic and decreasing requirements would impact sense of green space.
<i>Structure Height</i>
<i>Lot Coverage</i>
Bigger structures on smaller lots?
Will this allow large structures on small lots?
<i>Setbacks</i>
I both dislike and like the proposed setbacks. As stated above, our setbacks concern me. I do like that this will increase the minimum side setback from two feet to three feet.
I like the idea of having a "moveable" setback box for where you can build.
Consider different, smaller set backs against access easement that have become part of property - i.e. paths between buildings owned by 3rd party.
Setbacks should not be impacted by structure size. The coverage on the lot would still seem greater with smaller setbacks.
Discussion of relationship between 3' setback and fire code - person's neighbor has a "no construct" agreement - she thinks 3' to the lot line is too close.
3' separation seems small to some (multiple comments)
Reduced setbacks for non-conforming properties. Round to the nearest foot? Maybe a portion of a foot? (tenth or hundredth?)
Concerns about eaves and agreements between neighboring properties if one neighbor has to use the other neighbor's property for maintenance access.
Why a 5' width on excepted access?
Why is 5' a maximum internal width for excepted access rather than a minimum internal width?
Love to see sight-obscuring regs (vegetation) applied to existing properties.
3' minimum height for vegetation is too high. Some children are less than 3'. If you are in a small car, 3' is still obscuring.
Starr Hill - one foot won't help us.
3' cannot be reduced with the setback sum reduction, correct?
Reduced setbacks will make a tremendous difference for remodels and additions. These are the most common construction projects in the overlay district.
I really like the new standards and thank you for your efforts. However, this effort will not help those of us with encroaching/non-conforming properties on Starr Hill, etc. Thank you.
Minimum 5' per side, 20' total. Otherwise it is a set up for neighbor conflicts for air/light/maintenance

Setbacks, continued

Reducing setbacks on smaller lots concerns me because of the increased fire hazards and noise and light pollution. This will also increase insurance risks when performing routine house maintenance.

Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below: - Friendliness. One important characteristic of the Casey-Shattuck neighborhood is its friendliness. People generally walk on the sidewalks (which is another unique characteristic of the Casey-Shattuck subdivision) and often will stop and chat with residents about their landscaping, local news, the weather, or whatever. One reason they stop is that there is generally a vacant comfortable distance from the sidewalk to the resident, which tends to encourage casual conversations. It's also because residents are spending time in their yard. Similar to the concept of personal space when talking with an acquaintance, the personal space in the outdoor neighborhood setting is generally much greater. When a house is three feet from the sidewalk such interactions are less likely to occur. The resident is less likely to spending time in such a small yard and walkers may be self-conscious about looking towards the house. More people would tend to walk in the street to avoid the feeling of invading privacy, increasing pedestrian/driving hazards, making the neighborhood a little less personal.

Structure height, Street-side (front yard) setbacks: While walking around the Casey-Shattuck subdivision with a tape measure we have found that nearly all houses (not including entry ways) are at least seven feet from the inside edge of the sidewalk, which we assume is a reasonable proxy for the property line. This includes at least one side of corner lots. We identified only one house less than seven feet from the sidewalk south of B Street. We did not investigate north of B Street but we believe there would be very few, if any exceptions there, as well. As discussed above, the space between the sidewalk and the houses is a desirable characteristic of the Casey-Shattuck subdivision. That front yard space is integral to the desirability and character of the neighborhood and should not be compromised. Allowances could be made for entry-ways and decks.

We believe developments in the Casey-Shattuck subdivision should have a minimum 7' front yard setback, not including entryways.

Side yard setbacks: We believe that no side yard setback should be less than 5' in any portion of the proposed ADOD zone for two reasons: Safety, and creating potential conflict with neighbors. Anyone who builds their house within three feet of the property line cannot perform the usual and customary maintenance on their house (sanding, painting, staining, cleaning windows, clearing gutters, replacing windows, replacing siding, etc.) on that side without trespassing onto their neighbor's properties. Most of these tasks require a ladder to accomplish the work. OSHA guidelines (attached) specify for safety that the proper angle for setting up a ladder is to figure one-quarter of the working length of the ladder and placing the foot of the ladder that distance away from the wall. A 12 foot ladder (which might be long enough to wash windows but not long enough for any of the other tasks above) would require 3 feet away from the wall. If the structure is a two story building and the ladder is 24 feet it would need 6 feet to be safe which is still an issue with 5' setbacks. Perhaps setback distance should be based on the height of the structure?

We believe that no side yard setback should be less than 5'.

Exceptions to setbacks: Please refer to our comments on side yard setbacks above. Roof eaves two feet from the property line is inadequate for rain gutter access and maintenance without having to encroach on the neighbor's property. We support expanding the proposed setback for eaves to be three feet (3').

How would the ADOD apply when the property has a deficient setback (less than 3 feet) on one side, but "excess" setbacks elsewhere? The documents are clear whether a setback less than 3 feet on one side would preclude application of the ADOD. My home on 521 W 9th has a substandard set back on one side, but "excess setbacks elsewhere of the proposed 20 foot requirement. Would The ADOD allow for an expansion given other requirements are met?

Setbacks, continued

I really like the simplicity of the "formula" of 20' to 12' for total setbacks. However, I do think that the exceptions to setbacks should eliminate references to Front/Side/Rear.

I am strongly against any changes that allow a setback of less than ten feet.

We believe that no side yard setback should be less than 5' in any portion of the proposed ADOD zone for two reasons: Safety, and creating potential conflict with neighbors. In a perfect world all neighbors would get along and would work cooperatively but we all know that this is often not the case. We're sure Community Development can attest to that. Ladder placement can be a pretty site-specific requirement for the required task. If a neighbor asks permission to put their ladder on their neighbor's property and it would land in the middle of the neighbor's prize vegetable or flower garden they may rightfully choose to say no, which could lead to hard feelings. Or one neighbor may decide to construct a tall privacy fence along the property line and preclude the other neighbor from being able to use a ladder at all. The 3' setback seems to be setting up potential conflict situations or unsafe situations as people try to do what they need to do within a 3' setback. We have personal experience with this situation. Our neighbor's side yard setback is 2'7". He has to seek our permission any time he wants to do any maintenance and upkeep on the back wall of his house. Ours is a congenial relationship but if it wasn't and we refused that permission he would be hard-pressed to be able to do anything for maintenance and upkeep there. It seems like the CBJ would be institutionalizing inevitable neighbor conflict with this unrealistic and impractical side yard distance.

49.70.1440 Yard Setback Exceptions

Why is access to the rear lot line not included in the exemption? (there seemed to be multiple individuals interested in this)

Are arctic entries included in the setback exceptions?

Comments on Other Elements

49.70.1400 Purpose

General concern for the look and feel of Casey Shattuck. Worry about "quaint" character of the neighborhood (multiple people)

ADOD Process

Why not just update zoning? (1 person doesn't like ADOD as band aid)

Why not extend for another year?

Why not a new zoning district?

To my mind the whole standard review and revision seems rather rushed. I know you were given direction, but it's OK to push back if the direction doesn't seem reasonable, and I think it would be better to extend the current expiring standards for a year to give enough time to finish working through the revisions. Having two standards (and allowing owners to choose) sacrifices consistency for ambiguous expediency, which is a choice I've encountered before, and learned--by bitter experience--to regret.

Conformity

Describe non-conforming better

How many buildings currently conform? Would be good to see more spread on lot size vs. Conformance

We should decide as a community what percentage of zoning conformity we want. Present a wider range of lot sizes and per cent conformity.

Why is non-conforming so important?

Why do we care about conformity for lot size?

How does this interact with non-conforming ordinance?

Neighborhood Standards

These comments are based on the ADOD slide show and proposed development standards presented at the December 5 meeting. We reside in the Casey-Shattuck subdivision (also known as "The Flats") and our comments come from what we consider to be appropriate for that particular neighborhood. These comments may not apply to other neighborhoods, which is why we strongly support some unique standards for each neighborhood. We interpret the "What does this do?" slide as describing two goals: 1. "More flexibility for improvements and development" Flexibility can be a two-edge sword. We agree that situations arise that require innovative solutions that may not fit within set standards. However, such exceptions should only be allowed if they can be made consistent with the overall character of the specific neighborhood (Goal 2). Universal standards for the entire ADOD area would by necessity need to be generalized and loosely written to meet a wide variety of circumstances that likely apply to certain neighborhoods. This would likely lead to inappropriate application of exceptions in other neighborhoods, diminishing the effectiveness of this whole ADOD effort. Such an approach in turn seems to work directly against goal #2 below. We believe that having neighborhood-specific standards would reduce the need for exceptions because the standards could be written better to fit a particular neighborhood.

Neighborhood Standards, continued

We interpret the “What does this do?” slide as describing two goals: 2. “Maintain character of the neighborhoods” We fully support this goal. Using the plural in “neighborhoods” implies there are neighborhoods that have different characteristics. The logical conclusion would be that, where appropriate, there should be different development standards among the ADOD neighborhoods in order to maintain each neighborhood’s particular character. Providing uniform standards to all neighborhoods would tend to result in all the neighborhoods having similar characteristics, which would diminish the existing unique characteristics of each neighborhood. As well, “Character” is a subjective term and the qualities of a neighborhood’s character are not described. Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below:

Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below: - Historic Neighborhood. Please refer to our separately submitted comments about how we believe the proposed ADOD standards are not consistent with existing Historic Neighborhood characteristics and the CBJ Comprehensive Plan.

I understand the need for more housing and working with properties, but the recent “maxi-buildings” in the federal flats are a bit alarming and I believe they are the precedent that the new ADOD would encourage. Maintaining a smaller ADOD lot size requirement continues the critical role of the Planning Commission in maintaining the character of our community.

Overlay v Zoning

As currently zoned, only 36% of the buildings are in compliance. This indicates that the current zoning is inappropriate.

To my mind the whole standard review and revision seems rather rushed. I know you were given direction, but it's OK to push back if the direction doesn't seem reasonable, and I think it would be better to extend the current expiring standards for a year to give enough time to finish working through the revisions. Having two standards (and allowing owners to choose) sacrifices consistency for ambiguous expediency, which is a choice I've encountered before, and learned--by bitter experience--to regret.

I was left wondering why we don't just make the changes to the set back and undeveloped space calculations, but leave the minimum lots sizes as they are until the comprehensive plan and zoning update are done. Is it because being out of compliance with minimum lot size prohibits any increase in the footprint, regardless of compliance with the set back?

49.70.1410 Applicability

My strong preference is to leave Willow Drive lots out of the Overlay as all of our lots meet current zoning (D-5) standards. If the purpose is to bring 80% of the lots within the overlay into compliance, then that was already exceeded in our neighborhood. Please make a slight revision in your map so that we can keep our current zoning standards. *Staff note: One of the ADOD applications completed was on Willow Drive.*

How can someone be nonconforming to ADOD? I want to use ADOD but am non-conforming for lot size - can I?
How does this fit with the historic plan?

One thing bothers me: Owners will be able to decide which standard they want to follow, but what if a property changes hands and the new owner wants to do a new project under the other standard? Do you let them? Or are they stuck with the previous owner's choice?

I got distracted by being exposed first to the map showing lots that could be subdivided, making me think subdivision opportunity was an important motivation (or risk) of the ADOD change. Other meeting participants thought the lot size change would allow new multi-family or apartment buildings.

49.70.1420 Downtown Juneau ADOD procedure

I think it's actually preferable for folks to get variances when they are proposing to build beyond the 4000sf limit, and helps maintain an appropriate level of government/planning commission oversight on buildings that maximize the space on their lots. The cost is high, but is appropriate for many of the proposals that result in new revenue streams for owners such as small rental apartments, B&B's, etc.

What if you have an existing structure on a 2,000 square foot lot, but you decide you want to participate in ADOD for the 3' setbacks? Can you do that without conforming lot size?

I will state what I noted at the public meeting, which is that this makes an already complex code even more complicated.

Zoning codes should be addressed separately from building codes. Zoning codes should establish look, feel and function. Building codes can adapt to zoning restrictions.

How does this impact accessory apartments?

Do not wait until a building permit to decide on if you will participate in ADOD or not. That is too late in the process.

What if we are "grandfathered" in to some things? How to balance.

Avoid design reviews.

More predictability please! (positive toward proposal)

Variances

How does ADOD affect ability to get a variance?

How does this relate to variances?

Other Topics

General

The only other comment I would suggest at this time is that the restrictions on fence height at corners should not apply to lots adjacent to platted ROWs that are not used by vehicles. My house is adjacent to the 5th Street stairs; a tall fence would not impede visibility for motorists.

Qualities of the Casey-Shattuck neighborhood that we consider important to maintain during this process are described below: - Sidewalks. We believe the Casey-Shattuck subdivision is unique from other nearby neighborhoods in that both sides of the streets have sidewalks. Sidewalks help provide a buffer between the house and the vehicles on the roadway, enhancing the feeling of space for the typically small lots in the Casey-Shattuck subdivision. Sidewalks also enhance the feeling of friendliness as described above.

The reduced lot sizes are a big step in the right direction, as are the width, depth, and coverage--I'd like to see 90% of the lots conforming; what would that require?

I generally support the proposal, but have a question about the modified set back requirements.

I am a homeowner in Juneau, and have been in Juneau since 1989. I have owned (including current properties) three properties in Juneau including a 4-plex, duplex, and townhouse. I have had to get easement agreements and permits to meet building/zoning requirements, so I understand working with property boundary issues. I support the need for a new ADOD to replace the expiring ADOD, and appreciate the efforts the team has put into the new proposal.

Thank you for considering these comments, and please consider reducing the proposed ADOD requirements to closer to "half" of what you are proposing.

More flexible where not how tall (....?)

Lots vs. city streets

<i>Accessory Issues</i>
Keep parking for AAP. Stop providing waivers.
This will help improve conformance and the ability to get a bank loan.
Avalanche and mass wasting concerns should be worked into this ADOD. (One-on-one comment)
Zone for GROWTH (one-on-one comment)
How does this affect parking?
"Zoning people are crazy"
My address is on one street but my access is on another, how does that impact "front"?
Does this change frontage?
How to deal with disputed property lines?
Would access be limited for raised garages?
How does this interact with avalanche zones?
Parking downtown is an issue.
<i>Miscellaneous</i>
Clarification: Survey costs in addition to ADOD costs
Discussion of relationship between 3' setback and fire code - person's neighbor has a "no construct" agreement - she thinks 3' to the lot line is too close.
<i>Meeting Presentation</i>
Confusion re current ADOD and new ADOD
Define duplex vs common wall vs single family
Clarify that bungalows exist now - not changing
What if houses is not parallel to the lot line? Would be good to show a house that is not parallel in the example.
Definitions need more clarity.
Purpose needs more clarity.
Provide meeting materials ahead of time and on line.
Would like to know how many variances we've had since 1987.
3D models would be very helpful.
Describe difference between existing zoning districts.
Remove Capital Park from map of sub dividable properties (next to Terry Miller building)
How many unbuilt lots do we have in the ADOD?
What is the number of lots that could be subdivided based on lot size?
Describe non-conforming better
Better distinguish between the existing process and the proposed process
Also, perhaps explain why it helps if the ADOD makes more existing/grandfathered construction comply with minimum lot size.
I appreciated the public meeting and came away with better understanding and greater comfort with the proposal.
My observation is that many of us - even those with sufficient interest to attend a meeting- don't know what current downtown zoning allows and prohibits, so it is easy to jump to incorrect conclusions about the effects of the ADOD

Meeting Presentation, continued

In future presentations, it could help to spend the first 10 minutes setting the stage by explaining the basics of D5/10/18 zoning and the effects of being out of compliance, which you ended up having to do intermittently as a result of questions. (References to variances for repairs were confusing because repairs don't usually affect the building footprint.)

Beyond these questions and suggestions, my primary message is that the meeting was helpful and I appreciated you giving us your evening and Saturday afternoon.