

Agenda

Planning Commission - Special Meeting City and Borough of Juneau

June 22, 2021
Virtual Meeting Only
6:00 PM

This virtual meeting will be by video and telephonic participation only. To join the webinar, paste this URL into your browser: <https://juneau.zoom.us/j/99589799185>. To participate telephonically, call: 1-346-248-7799 or 1-669-900-6833 or 1-253-215-8782 or 1-312-626-6799 or 1-929-436-2866 or 1-301-715-8592 and enter Webinar ID: 995 8979 9185.

- I. ROLL CALL
- II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
- IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION
- V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- VI. ITEMS FOR RECONSIDERATION
- VII. CONSENT AGENDA
- VIII. UNFINISHED BUSINESS
- IX. REGULAR AGENDA
 - A. **AME2020 0001: A Text Amendment proposing new zoning districts: Neighborhood Commercial, Mixed Use 3 - RECOMMENDED APPROVAL TO ASSEMBLY**

Case No.: AME2020 0001
Applicant: City & Borough of Juneau
Location: Borough-wide
Proposal: A Text Amendment proposing new zoning districts: Neighborhood Commercial, Mixed Use 3

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.
 - B. **AME2020 0002: A Text Amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code - RECOMMENDED APPROVAL TO ASSEMBLY**

Case No.: AME2020 0002
Applicant: City & Borough of Juneau
Location: Borough-wide
Proposal: A Text Amendment to add landscaping and vegetative cover purpose-statements to CBJ Land Use Code

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.
 - C. **AME2015 0010: A proposal to rezone a portion of the Auke Bay Center to Neighborhood**

**Commercial, Mixed Use 3, and revisions to landscape and vegetative cover standards -
DENIED THE REZONE**

Case No.: AME2015 0010

Applicant: City & Borough of Juneau

Location: Auke Bay

Proposal: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover standards

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

D. AME2021 0006: A Text Amendment to revise Title 49 to create the Auke Bay Overlay District - DENIED THE ZONING OVERLAY DISTRICT

Case No.: AME2021 0006

Applicant: City & Borough of Juneau

Location: Auke Bay

Proposal: A Text Amendment to revise Title 49 to create the Auke Bay Overlay District

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

X. BOARD OF ADJUSTMENT

XI. OTHER BUSINESS

XII. STAFF REPORTS

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORT

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

XVIII. SUPPLEMENTAL MATERIALS

A. Additional Materials for June 22, 2021 Special Planning Commission

XIX. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2020 0001: A Text Amendment proposing new zoning districts: Neighborhood Commercial, Mixed Use 3 - RECOMMENDED APPROVAL TO ASSEMBLY

AGENDA ITEM:

Case No.: AME2020 0001

Applicant: City & Borough of Juneau

Location: Borough-wide

Proposal: A Text Amendment proposing new zoning districts: Neighborhood Commercial, Mixed Use 3

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2020 0001	6/16/2021	Staff Report
☐ Presentation for AME2020 0001	6/22/2021	Presentation
☐ Notice of Recommendation for AME2021 0001	7/7/2021	Notice of Recommendation



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CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: June 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A text amendment proposing new zoning districts:
Neighborhood Commercial, Mixed Use 3

STAFF RECOMMENDATION: Forward the proposed text amendment
with a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- The proposed zoning districts would integrate small-scale mixed use development into existing multi-family and commercial zoning districts.
- The proposed zoning districts are consistent with CBJ Adopted plans.

GENERAL INFORMATION

Applicant	City and Borough of Juneau
Initiated By	Community Development Department
Property Affected	Borough-wide

LAND USE CODE AMENDED

49.25.110	Zoning Maps
49.25.220 & 49.25.230	Mixed Use and Commercial Zoning Districts
49.25.300	Table of Permissible Uses
49.25.400	Table of Dimensional Standards
49.25.500	Density Determination

ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed ordinance and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed ordinance to the Assembly. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this text amendment. The Commission's recommendation will be forwarded to the assembly for final action.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.10.170(d)

The Commission shall hear and decide the case per 49.10.170(d) Planning Commission Duties. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezoning, indicating compliance with the provisions of this title and the comprehensive plan.

PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Ad Hoc Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

INTRODUCTION

Throughout the Borough, the public has expressed interest in incorporating small-scale commercial uses into medium-to-high density multi-family residential neighborhoods. There is also interest for incorporating neighborhood-scale mixed-use development along commercial corridors. These interests were expressed in the Auke Bay Area Plan and are being expressed currently with the Blueprint Downtown and Douglas/West Juneau planning processes. The zoning districts currently adopted in Title 49 will not meet the interest of the public either because most commercial and retail uses are prohibited in residential zoning districts or because existing mixed-use zoning districts allow intense large-scale development that is not desired within residential neighborhoods.

The Planning Commission formed an Auke Bay Area Plan Implementation Ad Hoc Committee in January 2018. The Ad Hoc Committee subsequently held 17 public work sessions. CDD staff held a series of seven neighborhood meetings in Auke Bay to present the details of the proposed zoning districts. Although the Neighborhood Commercial (NC) and Mixed-Use 3 (MU3) zoning districts were originally proposed as a way to implement the Auke Bay Area Plan where the Comprehensive Plan land use designations are Medium Density Residential (MDR) and Marine/Mixed Use (M/MU) they are also consistent with High Density Residential (HDR) and Traditional Town Center (TTC) Comprehensive Plan land use designations. Across the borough these land use designations can be

found in Auke Bay, Vintage Park/Mendenhall Mall area, Kodzoff Acres/Cinema Drive area, Switzer Creek/Alaway Avenue/Lemon Creek Road area, Vanderbilt Creek area, Downtown Juneau, Downtown Douglas and West Juneau.

The NC and MU3 zoning districts could help achieve a desired land use development in any of these areas. Although these areas differ from one another in many ways they do have a few critical elements in common - all within the Urban Service Boundary with adequate access to city water and sewer utilities; all on a Capital Transit bus route; all are located along busy arterial or collector corridors; all are within close proximity to schools and other institutional uses; are all within walking distance to single-family and multi-family residential neighborhoods.

ZONING DISTRICTS SUMMARY

The proposed zoning districts, NC and MU3, place a greater emphasis on mixed-use development of small-scale commercial and medium-to-high density residential with flexible setbacks that encourage the development of pedestrian-oriented buildings. Commercial development within the NC and MU3 zoning districts will be on a smaller scale than the MU, MU2, LC and GC zoning district while allowing for more commercial uses than are currently allowed in multi-family zoning districts.

Key Concepts of NC and MU3:

- Minimum lot size of 3,000 square feet.
- Minimum density of 3 dwelling units per lot. 1 and 2 dwelling units are allowed only if they are part of a mixed-use building.
- NC - Maximum density of 15 dwelling units per acre.
- MU3 – Maximum density of 30 dwelling units per acre.
- Building height maximums of 35' for primary buildings and 25' for accessory buildings
- Flexible front yard setback of 0' to 20' for NC and 0' to 15' for MU3. Maximum front yard setbacks will require parking to be located in the rear.
- Increased setbacks and landscaping requirements when buildings over 15' in height abut a residential zoning district.

COMPLIANCE WITH TITLE 49

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

TITLE 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code. Additionally, the proposed amendment will not create any inconsistencies in Title 49.

Code Reference	Item	Summary
49.05.100	Purpose Statement	The proposed text amendment complies with the purpose and intent of Title 49.

COMPLIANCE WITH BOROUGH-WIDE ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
10	130	Policy 10.2	TO ALLOW FLEXIBILITY AND A WIDE RANGE OF CREATIVE SOLUTIONS IN RESIDENTIAL AND MIXED USE LAND DEVELOPMENT WITHIN THE URBAN SERVICE BOUNDARY.

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
10	131	Policy 10.3	TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS.
10	137	Policy 10.10	TO ENCOURAGE SMALL-SCALE NEIGHBORHOOD CONVENIENCE COMMERCIAL USES IN APPROPRIATE AREAS IN NEW NEIGHBORHOODS AND WITH APPROPRIATE OPERATING MEASURES WITHIN EXISTING NEIGHBORHOODS.
10	140	Policy 10.13	TO PROVIDE FOR AND ENCOURAGE MIXED USE DEVELOPMENT THAT INTEGRATES RESIDENTIAL, RETAIL AND OFFICE USE IN DOWNTOWN AREAS, SHOPPING CENTERS, ALONG TRANSIT CORRIDORS, AND IN OTHER SUITABLE AREAS

2016 HOUSING ACTION PLAN The proposed text amendment complies with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary
Part 2, Solutions	47	Implementation	Re-zone D18 zoning district to Mixed-Use.
Part 2, Solutions	48	Implementation	Evaluate other areas that need to be "up-zoned" – either areas that would be appropriate for greater residential density or switched from residential only to mixed-use areas.
Part 2, Solutions	48	Implementation	Adjust the language in the zoning ordinance to "require" there be both housing and commercial uses in mixed-use zoning districts.

PUBLIC COMMENTS

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. The majority of the comments received at that meeting were related to the boundaries of the proposed zoning and not the recommended features of the zoning districts. When a re-zone request is initiated a public meeting in the neighborhood where the re-zone request is located will be held and borough-wide public notice will be given for a public hearing.

FINDINGS

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Analysis: The proposed text amendment is generally consistent with the overall vision of the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

Finding: Yes. The proposed text amendment conforms to the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

2. Does the proposed text amendment comply with Title 49 – Land Use Code?

Analysis: The proposed text amendment was drafted with the purpose and intent of Title 49 taken into account. If approved as drafted, it will be consistent with other adopted zoning districts in CBJ 49.25.

Finding: Yes. The proposed text amendment conforms to the purpose and intent of Title 49 land use code. Additionally, the proposed text amendment does not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance

Presented by: The Manager
Introduced:
Drafted by:

DRAFT

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning 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 49.25 Zoning Districts to read:

Chapter 49.25 – ZONING DISTRICTS

ARTICLE II. ZONING DISTRICTS

49.25.220 Mixed use districts.

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

49.25.230 Commercial districts.

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that

is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

ARTICLE III. TABLE OF PERMISSIBLE USES

49.25.300 TABLE OF PERMISSIBLE USES

		Zones																	
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I	NC	MU3	
1.000	RESIDENTIAL																		
1.100	Single-family dwellings																		
	1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1 ^A	1 ^A			
	1.120	Single-family detached, two dwellings per lot	1	1	1														
	1.130	Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3					
	1.140	Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3														
1.200	Duplex		1	1	1	1		1	1	1	1	1	1	1					
1.300	Multifamily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3			1, 3	1, 3	
1.500	Child and Day care homes																		

	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.520	Reserved																	
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.540	Reserved																	
1.550		Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3				3	
1.600		Miscellaneous, rooms for rent situations																	
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 ^N			1, 3	
	1.620	Hotels, motels	3					-	-		1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N		1, 3	1, 3
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	1, 3
1.700		Home occupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1.800		Mobile homes																	

	1.810	Residential mobile homes on individual lots ^E	3	3	3													
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
	1.820	Mobile home parks ^E				3	3	3	3	3	3							
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3							
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F													
1.900	Common wall development																	
	1.910	Two dwelling units				1	1	1	1	1								
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.920	Three or more dwelling units				1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3				
2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G																	
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																	

	2.110	<i>Reserved</i>																
	2.120	Miscellaneous								1	1	1	1	3 ^N	3 ^N	3	1	1
	2.130	Marine merchandise and equipment	3 ^T							1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3	1	1
	2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods								1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	3		
	2.300	Marijuana retail store	3							3	3	3	3	3	3	3		3
	3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G																
	3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 ^N		1	1
	3.100	Offices greater than 1,000 but not more than 2,500 square feet					3	3	3	1	1	1	1	3 ^N			1	1
	3.200	<i>Reserved</i>																
	3.300	Research, laboratory uses	3 ^T							1, 3	1, 3	1, 3	1, 3	1 ^N	1 ^N	1, 3		1, 3
	3.400	Offices greater than 2,500 square feet								1, 3	1, 3	1, 3	1, 3	1 ^N		3 ^S	1, 3	1, 3
	3.500	Marijuana testing facility	3							3	3	3	3			3		
	4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G																

4.050	Light manufacturing	3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3
4.070	Medium manufacturing	3 ^T									3	3	3	3 ^N	1 ^N ,	1, 3		
4.100	Heavy manufacturing	3 ^T	3 ^Q												3 ^N	3		
4.150	Rock crusher	3 ^T	1 ^Q	1 ^Q											3 ^N	3		
4.200	Storage of explosives and ammunition	3													3 ^N	3		
4.210	Seafood processing	3 ^T												3	1, 3	1, 3		
4.220	Marijuana product manufacturing facility	3 ^{AC}									3	3				3		
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																	
5.100	Schools																	
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3				3
	5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	3 ^N	3 ^N	3	3
	5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3	3
5.200	Churches, synagogues, temples	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	3 ^N	1, 3	3	3
5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N			1,3	1,3

5.400	Social, fraternal clubs, lodges, union halls, yacht clubs		3 ^T					-	-		1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1, 3	1,3	1,3	
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT																		
6.100	Indoor activity conducted entirely within building or substantial structure																		
	6.110	Bowling alleys, billiard, pool halls						-	-		1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
	6.130	Theaters seating for 200 or fewer	3 ^T					-	3	3	1	1	1	1	3 ^N		3	1,3	1
	6.135	Theaters seating from 201 to 1,000						-	-		3	1	1	1	3 ^N		3	1,3	1
	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3	3 ^N				
	6.150	Indoor shooting range	1, 3									3					3		
6.200	Outdoor activity conducted outside enclosed buildings or structures																		

6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	3	1, 3			3 ^N		3	1,3	
6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 ^N		3	1,3	
6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3										3					3		
6.250	<i>Reserved</i>																		
6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																		
6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N		1	1
6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N		3	3
6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3		

	6.280	Shooting ranges	3														3			
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																			
7.100	Hospital									3	3	3	3							
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3	
7.200	Assisted living			3	3	3	3	3	3	3	1, 3	1, 3	1, 3					1,3	1,3	
7.300	Day care centers							3	3	3	1, 3	1, 3	1, 3	1, 3				1,3	1,3	
7.310	Child care centers		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3				1,3	1,3	
7.500	Correctional facilities		3	3	3	3	3	3	3	3	3	3	3	3						
7.600	Sobering centers										3	3	3	3						
8.000	RESTAURANTS, BARS, NIGHTCLUBS																			
8.050	Small restaurants, less than 1,000 ft ² without drive through service		3 ^T					3	3	3	1	1	1	1	1 ^N		3	1	1	
8.100	Restaurants, bars without drive through service		3 ^T								1, 3	1	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	3	1,3	1,3	
8.200	Restaurants, coffee stands with drive through service										1, 3	1		3	1 ^N , 3 ^N	3				

8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	1 ^N , 3 ^N			1, 3	1, 3
9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																	
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3				1, 3	
9.100	Motor vehicle repair and maintenance, including body work										3						1	
9.200	Automotive fuel station	3 ^T								3	1						1	
9.300	Car wash									3	1						1	
9.400	Boat sales or rental	3 ^T								3	1			1	1	1		
9.450	Boat repairs and maintenance	3 ^T									3			1	1	1		
9.500	Marine fuel, water sanitation	3 ^T												1, 3	1, 3	1, 3		
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3												3	3			
10.000	STORAGE, PARKING, MOORAGE																	
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3				1	1, 3

10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
	10.210	All storage within completely enclosed structures	1, 3	3						3	1	1 ^U , 1 ^U , 3	1 ^N , 1 ^N	1				
	10.220	General storage inside or outside enclosed structures	1, 3	3							1, 3		1 ^N , 1 ^N	1				
	10.230	Snow storage basin																
	10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1		3 ^Z	1	1	3 ^Z	3 ^Z	
	10.235	Regional, ½ to 1 acre	3	3	3 ^Z					3 ^Z	3		3 ^Z	1	1			
	10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z						3 ^Z			3	3			
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot		1, 3	3							1, 3		1 ^N , 1 ^N	1				
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time		1, 3	3	3	3	3	3	3	3	1, 3	3	3	3	1 ^N	1	3	3
10.500	Moorage																	

	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3		
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
10.600	Floating structures supporting seasonal, commercial recreation		3	3	3										3	3			
11.000	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT																		
11.100	Recycling operations																		
	11.110	Enclosed collection structures ^c of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	1	1	1	1 ^P	1 ^P
	11.120	Enclosed structures for recyclable materials collection	1 ^P , 1 ^P , 1 ^P , 1 ^P , 1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	3	3	1	1	1 ^P	3 ^P	3 ^P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure														1 ^N	1		
11.200	Reclamation landfill not associated with a specific use		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3		
11.300	Sanitary landfill		3													3			
12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS																		
12.100	Veterinary clinic		3	3	3						3	1, 3	3	3	1 ^N , 1 ^N , 1	3	3		

12.200	Kennel		3	3							3	3					1, 3		
12.250	Day animal services, grooming, walking, day care		3	3	3	3	3				3	3	3	3			1, 3	3	3
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component		3	3							3	3		3	3 ^N		3		
12.310	Wild animal rehabilitation facilities without a visitor component		3	3	3	3					3	3			3 ^N		3		
12.400	Horseback riding stables, dog team yards		3	3							3	3					3		
13.000	EMERGENCY SERVICES																		
13.100	Fire, police, ambulance		3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	1, 3	3	3
14.000	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																		
14.100	Aquaculture		3	3	3						3	3	3	3	1	1	3	1,3	1,3
14.150	Weirs, channels, and other fisheries enhancement		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1		
14.200	Commercial agricultural operations																		
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3					1, 3	3	3
	14.220	Including farm animals ^M	1, 3	3													1, 3		

	14.230	Stabling of farm animals ^M	3	3	3	3					3	3					1, 3		
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3		
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
14.250	Personal use agriculture																		
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1		
14.300	Silviculture and timber harvesting ^J		3	3													3		
14.400	Mining operations		2, 3	3	3										3 ^N	3 ^N	2		
14.500	Sand and gravel operations ^I		3	3	3						3	3			3 ^N	3 ^N	3		
14.800	Spring water bottling		3	3			3	3	3	3	3	3					1, 3	3	
15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																		
15.100	Post office		3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3	1,3	1, 3
15.200	Airport		3														1, 3		
15.400	Military reserve, National Guard centers		3	3	3						3	3			3 ^N	3 ^N	3		

15.500	Heliports, helipads		3								3				3 ^N	3 ^N	3			
15.600	Transit facilities																			
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3	1,3	1, 3	
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1	3		
15.700	Public works facility		3	3	3	3					3	3					1, 3			
16.000	DRY CLEANER, LAUNDROMAT																			
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3	
16.200	Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 ^N	1 ^N ,	1, 3	1,3	1,3	
17.000	UTILITY FACILITIES																			
17.100	Minor		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
17.150	Intermediate		3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1	3	3	
17.200	Major		3	3	3	3	3	3	3	3	3	3			3	3	3	3	3	
17.300	Driveways and private roads																			

18.000	TOWERS AND RELATED STRUCTURES																		
18.100 ^{AA}	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 ^{AA}	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	1	1	1	3	3	
18.300 ^{AA}	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1			
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^R	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities																	
19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES																		
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1		1, 3	1, 3	1 ^N , 1	1 ^N , 1	1, 3	1, 3	1, 3
19.200	Nurseries, commercial greenhouses																	1, 3	
	19.210 Retail sales	3	3	3	3	3	3	3	3	1, 3	1		1 ^V	1 ^V			1	1, 3	1, 3
	19.220 Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1		1 ^V	1 ^V			1		
	19.230 Marijuana cultivation (500 square feet or more under cultivation)	3								3	3						3		

	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}						3	3					3		
20.000	CEMETERY, CREMATORIUM, MORTUARY																	
20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3	3	3						
20.200	Crematorium	3														1, 3		
20.300	Funeral home	3	3	3	3	3	3			1, 3	1	3	3				1,3	1,3
21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES																	
21.100	Resort, lodge	3	3															
21.200	Campgrounds	1, 3	3															
21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 ^N			3	3
22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																	
22.100	Temporary structures used in connection with construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

ARTICLE IV. DIMENSIONAL STANDARDS

49.25.400 TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations			RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																			
	Permissible Uses		36,000	36,000	12,000	7,000	3,600 ₁₀	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
		Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
		Duplex	54,000	54,000	18,000	10,500													
		Common Wall Dwelling				7,000	3,600 ₁₀	5,000	3,500	2,500		2,500							
		Single- family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width			150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'

	Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
	Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5' ^{5,8}	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
	Maximum street side yard setback											15'	10'					

Minimum rear yard setback ³		25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' ¹¹	10'	10'	10'	10'	10'
Minimum side yard setback ³		15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' ¹¹	10'	10'	10'	10'	0'
	Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

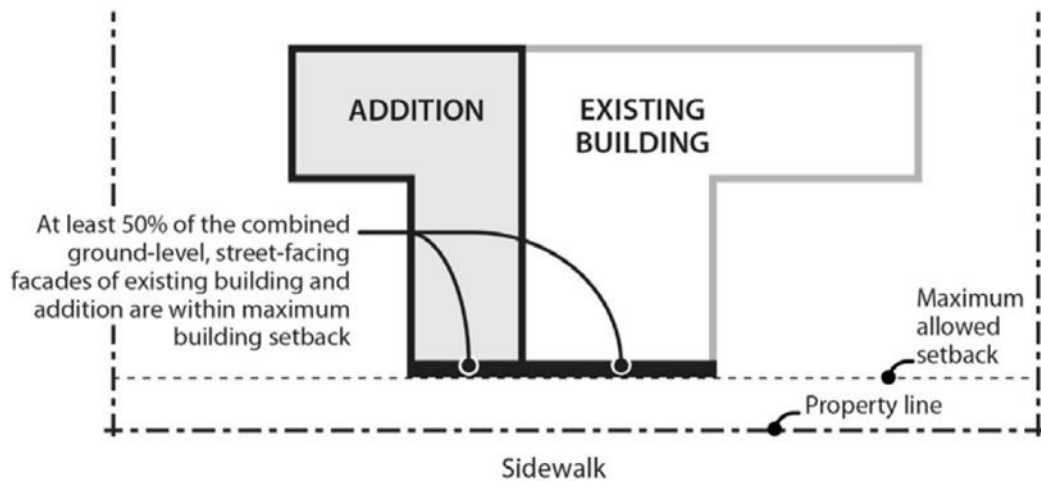
1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
9. Special restrictions apply to construction on bungalow lots. See special use provisions [49.65.600](#).
10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Minimal lot depth includes 50% of the width of adjacent alley.
 - (c) Minimum front yard setback of ten feet.
11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

49.25.430 Yard setbacks.

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest conforming buildings sharing a frontage and within a 150' radius.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

Alteration to Existing Building in Conformance with Maximum Setback Standard



(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5 foot setback and landscaping	Underlying zoning district setback, no landscaping
16 – 30 ft.	8 foot setback and landscaping	
31-55 ft.	10 foot setback and landscaping	

ARTICLE V. DENSITY

49.25.500 Density.

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

Zoning District	Maximum Dwelling Units/Acre
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-10	10 units per acre

D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
MU3	30 units per acre
NC	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

Section 3. Amendment of chapter. Chapter 49.50 Parks, Open Space and Vegetative Cover to read:

CHAPTER 49.50 PARKS, OPEN SPACE AND VEGETATIVE COVER

Article III. – Vegetative Cover

49.50.300 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
MU3, mixed use district	10
NC, neighborhood commercial district	25
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

AME2020-0001

A text amendment to Title 49
proposing new zoning districts:
Neighborhood Commercial (NC)
and
Mixed Use 3 (MU3)

Staff Recommendation: Forward the proposed text amendment with a recommendation of APPROVAL to the Assembly.

Planning Commission Special Meeting – June 22, 2021

AME2020-0001 – Why new zoning districts?

- Current multi-family zoning districts exclude many small scale commercial uses that households frequent on a daily basis.
- Current commercial zoning districts include many uses that may not be suitable near residential areas.
- Maximum densities allow for a single family dwelling unit in commercial and multi-family zoning districts where CBJ has invested the most in public infrastructure.
- The proposed zoning districts better comply with Comp. Plan land use designations.

AME2020-0001 – Why new zoning districts?

	GC	LC		D18	D15	D10	D5
Density	50 units per acre	30 units per acre		18 units per acre	15 units per acre	10 units per acre	5 units per acre
Height	55 ft. / 45 ft.	45 ft. / 35 ft.		35 ft. / 25 ft.	35 ft. / 25 ft.	35 ft. / 25 ft.	35 ft. / 25 ft.
Lot Coverage	No max lot coverage	No max lot coverage		50%	50%	50%	50%
Lot Size	2,000 sq. ft.	2,000 sq. ft.		5,000 sq. ft.	5,000 sq. ft.	6,000 sq. ft.	7,000 sq. ft.
Min. Setbacks	10' / 10' / 10'	25' / 10' / 10'		20' / 10' / 5'	20' / 15' / 5'	20' / 20' / 5'	20' / 20' / 5'
Permissible Commercial Uses	Retail over 5,000 sq. ft.; Medium mfg.; auto/motorcycle racetrack; outdoor storage; commercial ag. including farm animals; sand & gravel operations; heliports	Retail over 5,000 sq. ft.; seafood processing; commercial agriculture including farm animals; sand and gravel operations	Commercial Uses Not Allowed	Restaurants over 1,000 sq.ft.; Coffee stand; social/fraternal lodges; retail of any size; open air food service; Vet clinic; Day animal services; Open air markets	Dry cleaners	Dry cleaners	Restaurants; Dry cleaners Day Animal Services are allowed in D5 with a Conditional Use Permit

Background and Public Process

How did CBJ come up with NC and MU3?

- Ad Hoc Committee formed in 2018. Held 18 public meetings.
- Three Committee of the Whole meetings.
 - March 10, 2020
 - November 17, 2020
 - December 15, 2020

MU3 Purpose Statement

Mixed Use 3 (MU3) – intended to place a greater emphasis on the integration of small-scale commercial uses within high - density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

MU3 - Breaking down the Purpose Statement

Small-scale commercial -

- New retail less than 5,000 square feet allowed with a building permit.
- New single-use commercial structures with retail greater than 5,000 square feet will not be allowed.

High-density residential -

- Density maximum of 30 dwelling units per acre. Density minimum of three dwelling units per residential lot.
- New commercial buildings must have at least one associated dwelling unit.
- New detached single-family homes will not be allowed.

MU3 - Breaking down the Purpose Statement

Flexible Setbacks –

- Front yard setbacks can range from 0' to 20'.
- Street side yard setbacks can range from 0' to 15'.

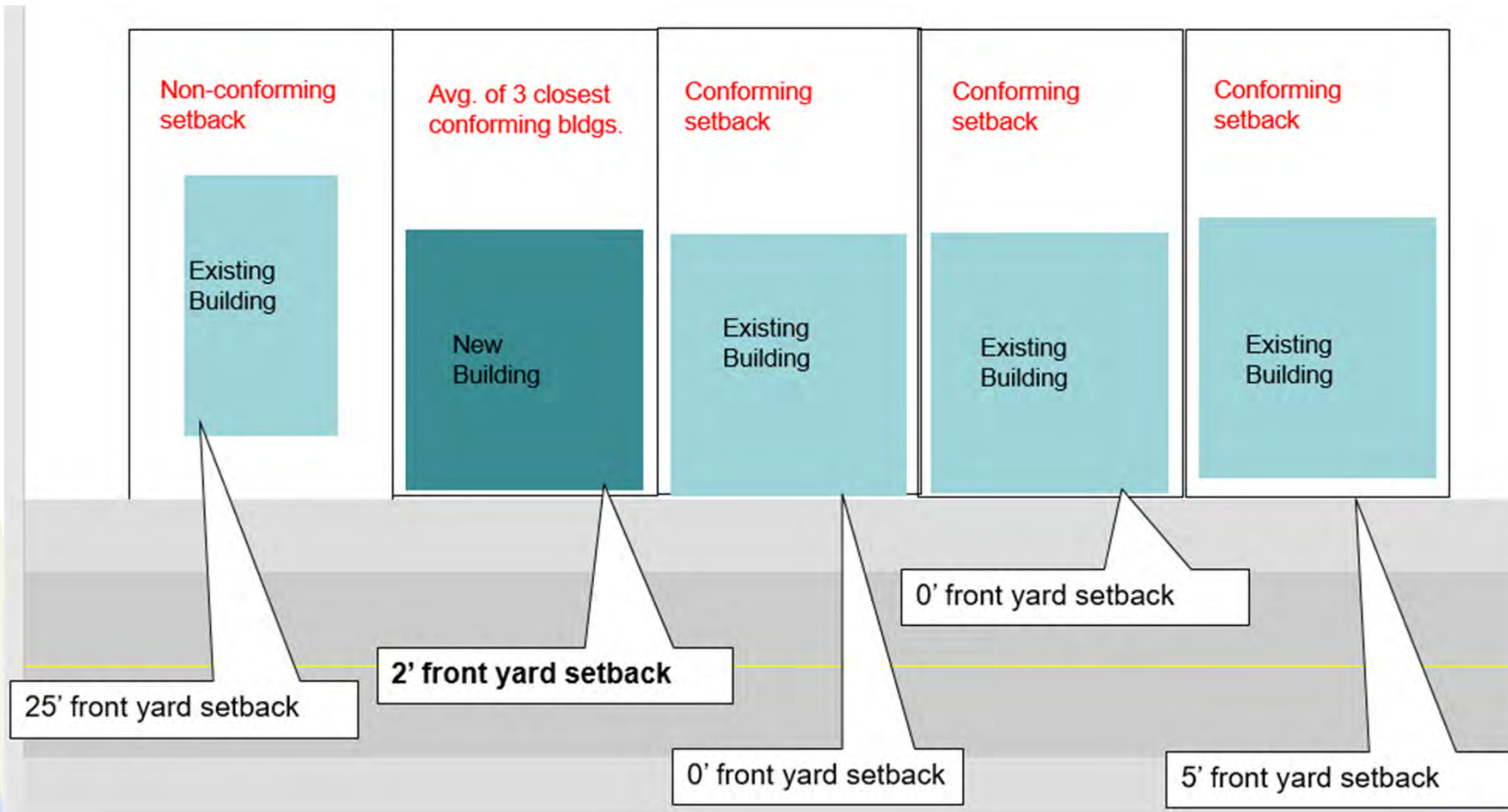
Cohesive neighborhoods -

- New buildings must have equal front and street side setbacks as the three closets conforming structures.
- Larger side yard setbacks and landscaping required when structures abut a residential zoning district.

Pedestrian-oriented buildings –

- Setbacks require structures to be built near the right-of-way.
- Maximum building heights of 35 feet.

Cohesive Neighborhoods



NC Purpose Statement

Neighborhood Commercial (NC) – intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis placed upon medium-density residential as the primary use with neighborhood-scale commercial activity that is less intense than existing commercial zoning districts.

Serve as a buffer between commercial and residential zoning districts.

NC - Breaking down the Purpose Statement

Lively, Mixed-Use Neighborhoods –

- Allowing uses that meet residents basic, daily needs (vet clinics and day animal services, small bars and restaurants, plant nurseries, dry cleaners, etc.)

Compact and walkable –

- Maximum lot coverage of 75% and 0' side yard setbacks encourages structures to be close to one another.
- Minimum lot sizes of 3,000 square feet to encourage infill development.

Neighborhood-scale commercial

- Marijuana retail sales not allowed.
- Single-use commercial structures with retail greater than 5,000 square feet will not be allowed.

NC - Breaking down the Purpose Statement

11

Medium density –

- Density maximum of 15 dwelling units per acre. Density minimum of three dwelling units per lot for residential lots.
- New commercial buildings must have at least one associated dwelling unit
- New detached single-family homes will not be allowed.

Buffer –

- Building height limit of 35 feet matches that of residential zoning districts.
- Side yard setbacks increase to 10 feet and landscaping requirements when NC lots abut a residential zoning district.

Comprehensive Plan Land Use Designations

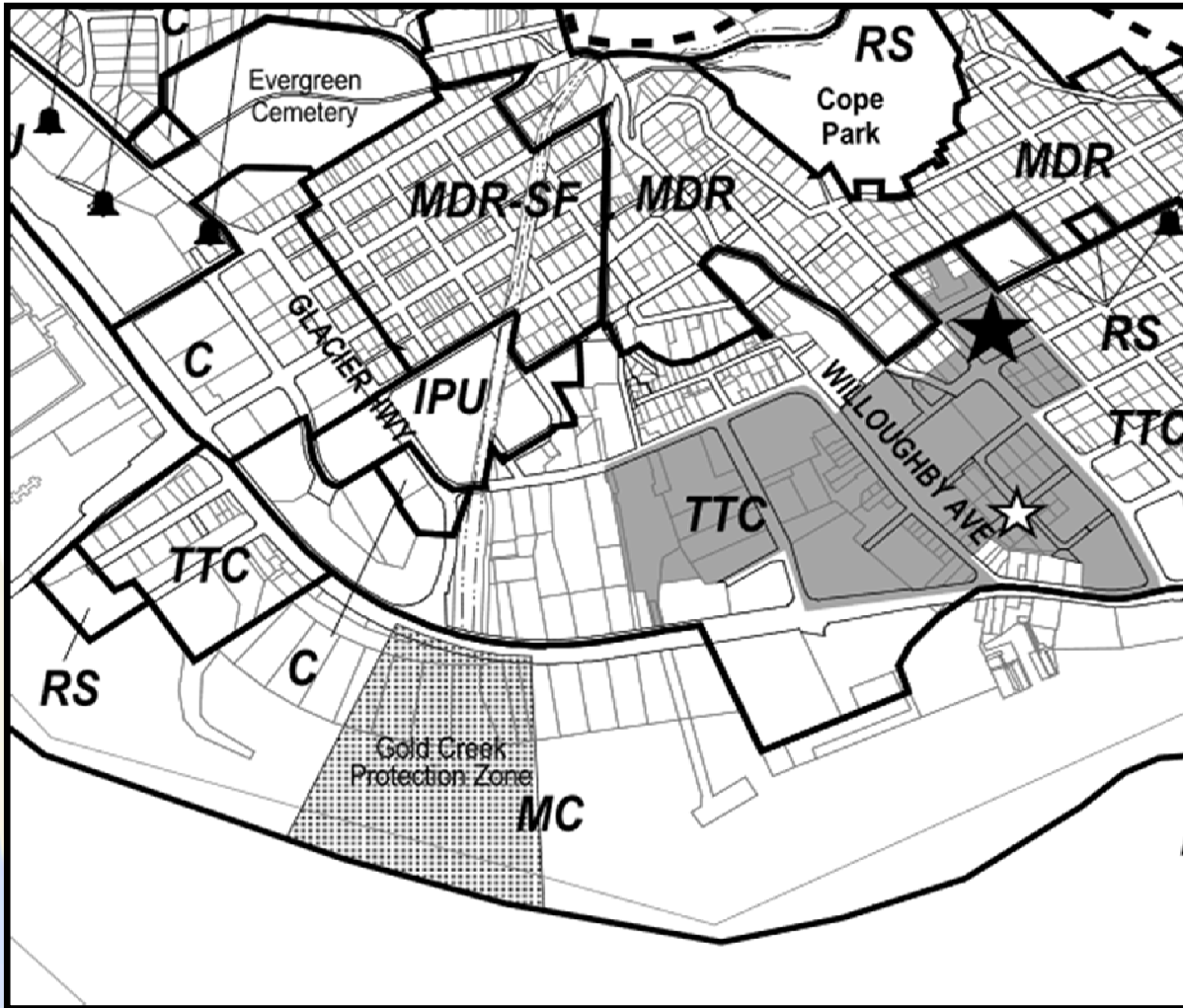
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Traditional Town Center (TTC) – These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

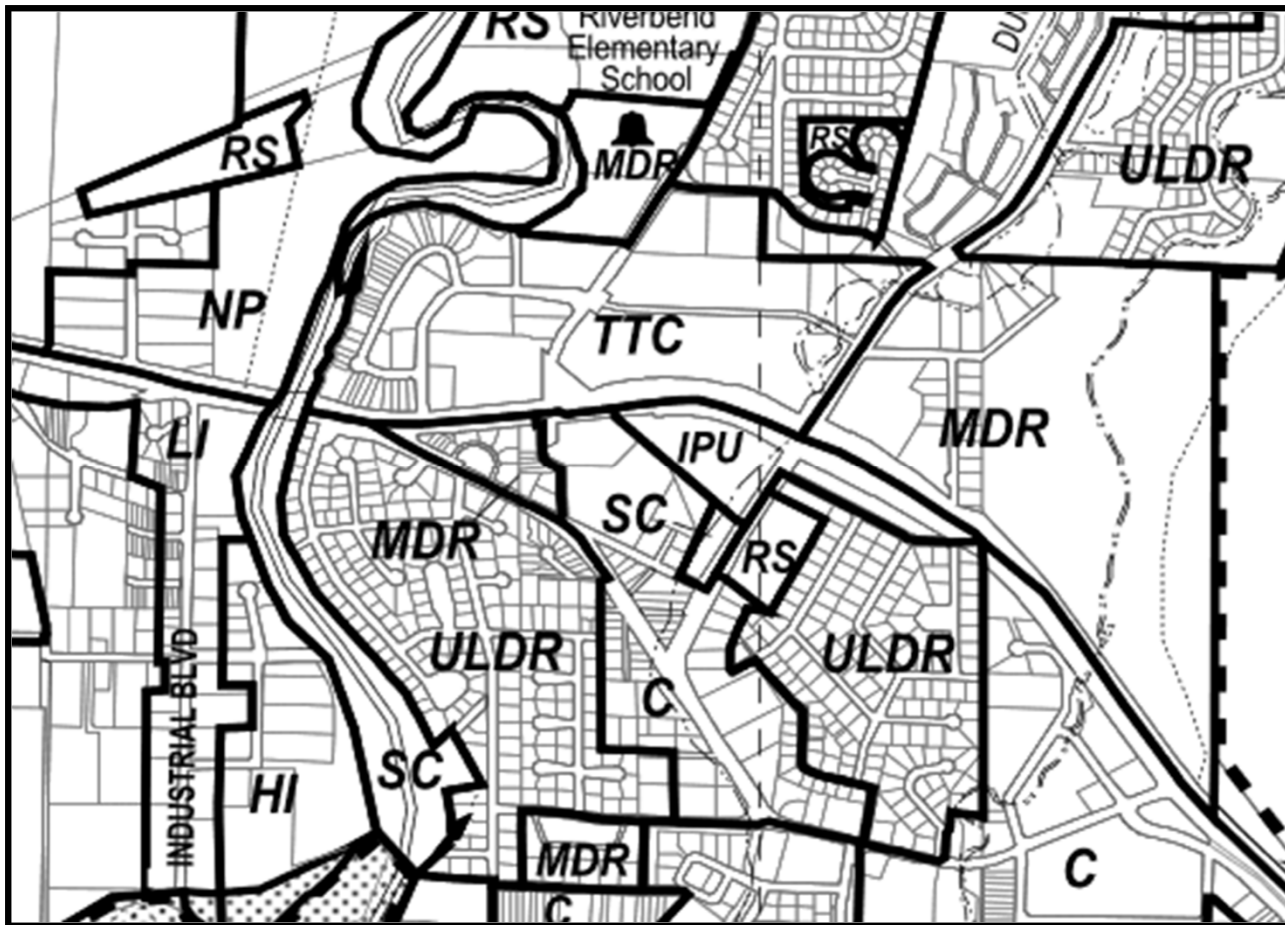
Examples of designated areas:

- Vintage Park / Safeway area
- Overstreet Park area
- Aak'w Village District
- Downtown Douglas

Traditional Town Center – Aak’w Village, Overstreet Park



Traditional Town Center – Vintage Park



Comprehensive Plan Land Use Designations

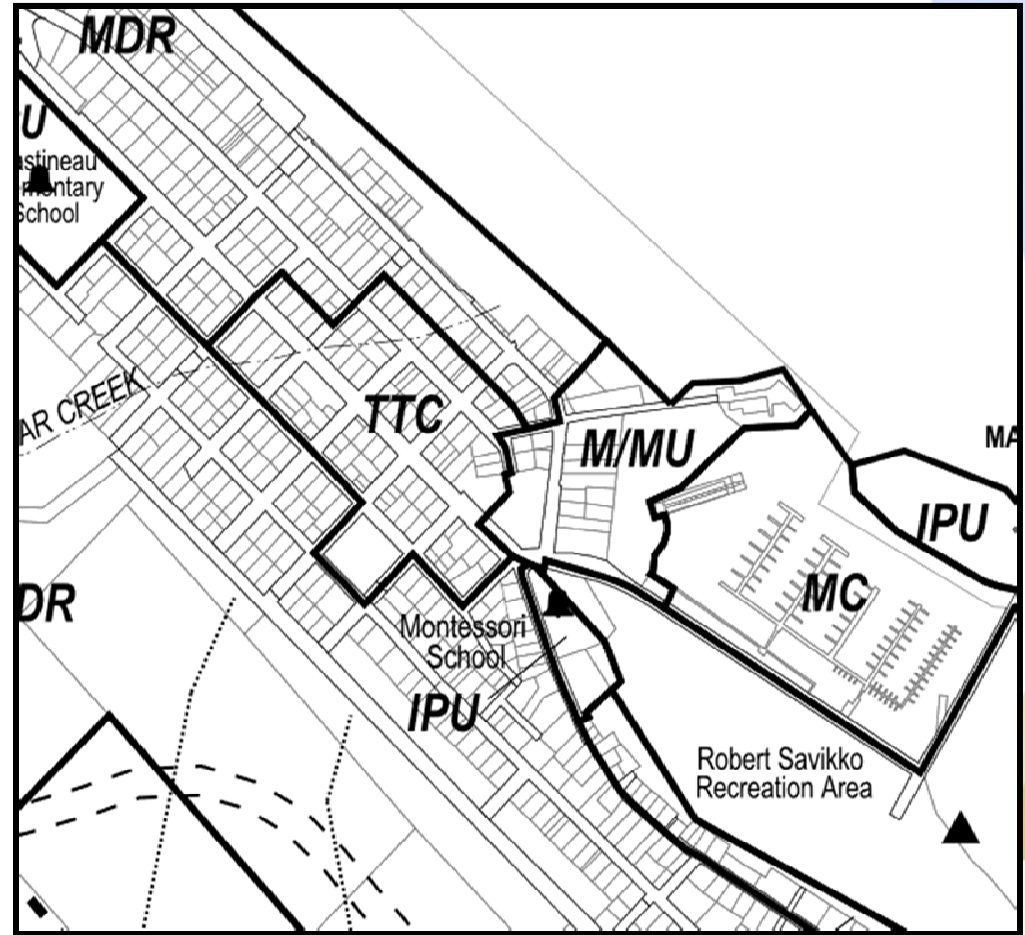
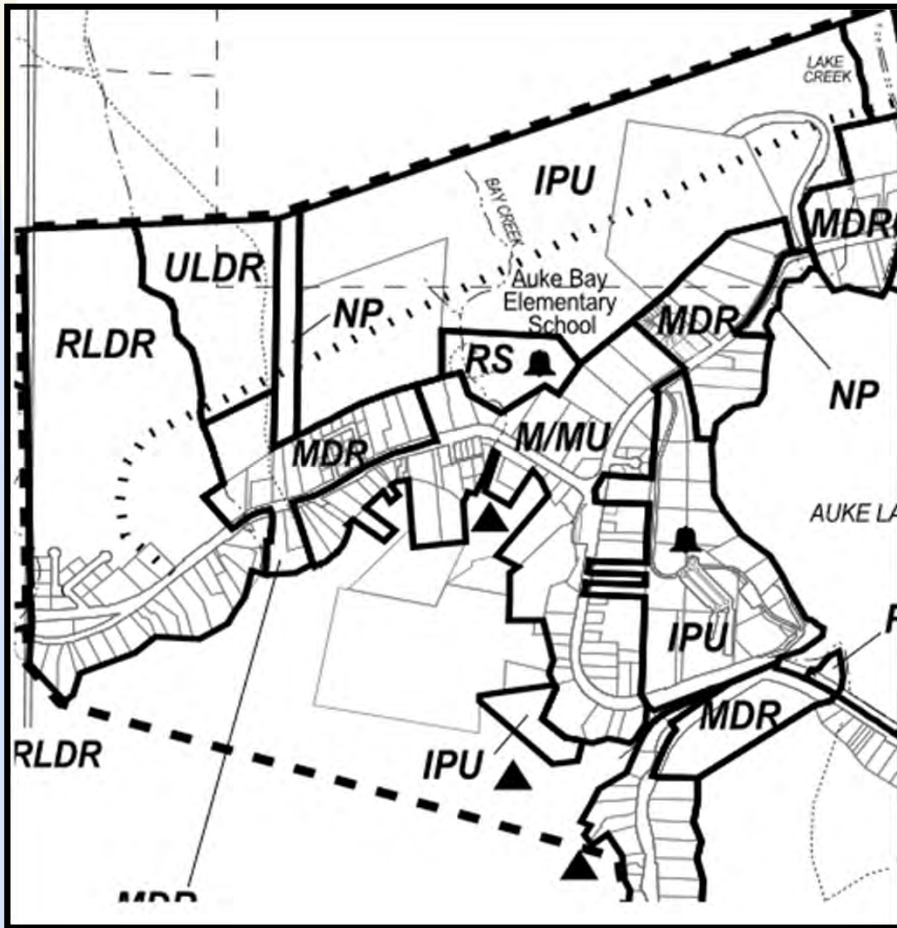
15

Marine/Mixed Use (M/MU) – These lands are characterized by high density residential and non-residential land uses in areas in and around harbors and other water-dependent recreational or commercial/industrial areas. Typically, neighborhood-serving and marine-related retail, marine industrial, personal service, food and beverage services, recreational services, transit and transportation services should be allowed and encouraged, as well as medium- and high-density residential uses at densities ranging from 10 to 60 residential units per acre. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land. Float homes, live-a-boards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for these areas.

Examples of designated areas:

- Auke Bay Center
- Downtown Douglas – Bradley Street / Harbor area

Marine/Mixed Use – Auke Bay Center, Downtown Douglas



Comprehensive Plan Land Use Designations

17

High Density Residential (HDR) – These lands are characterized by urban residential lands suitable for new, in-fill or redevelopment housing at high densities ranging from 18 to 60 units per acre. Commercial space may be an element of developments on properties under this designation, as regulated in the Table of Permissible Uses.

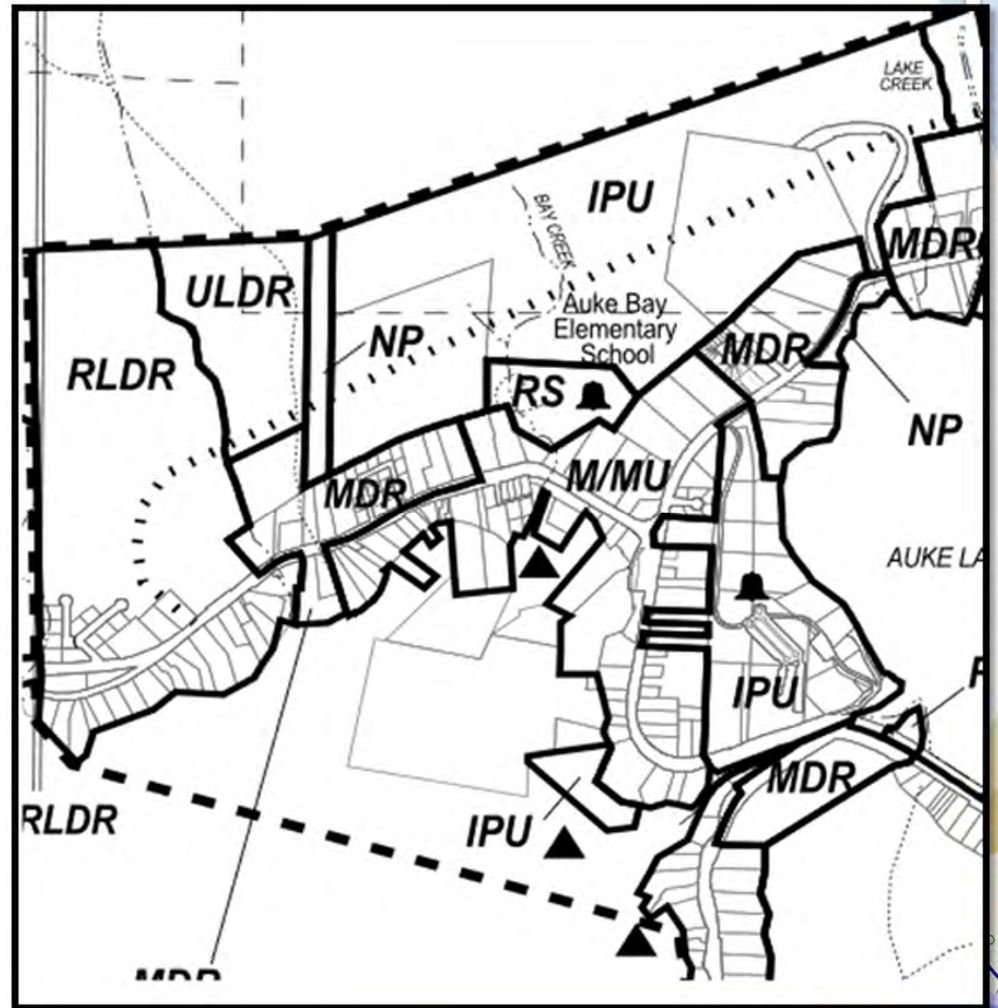
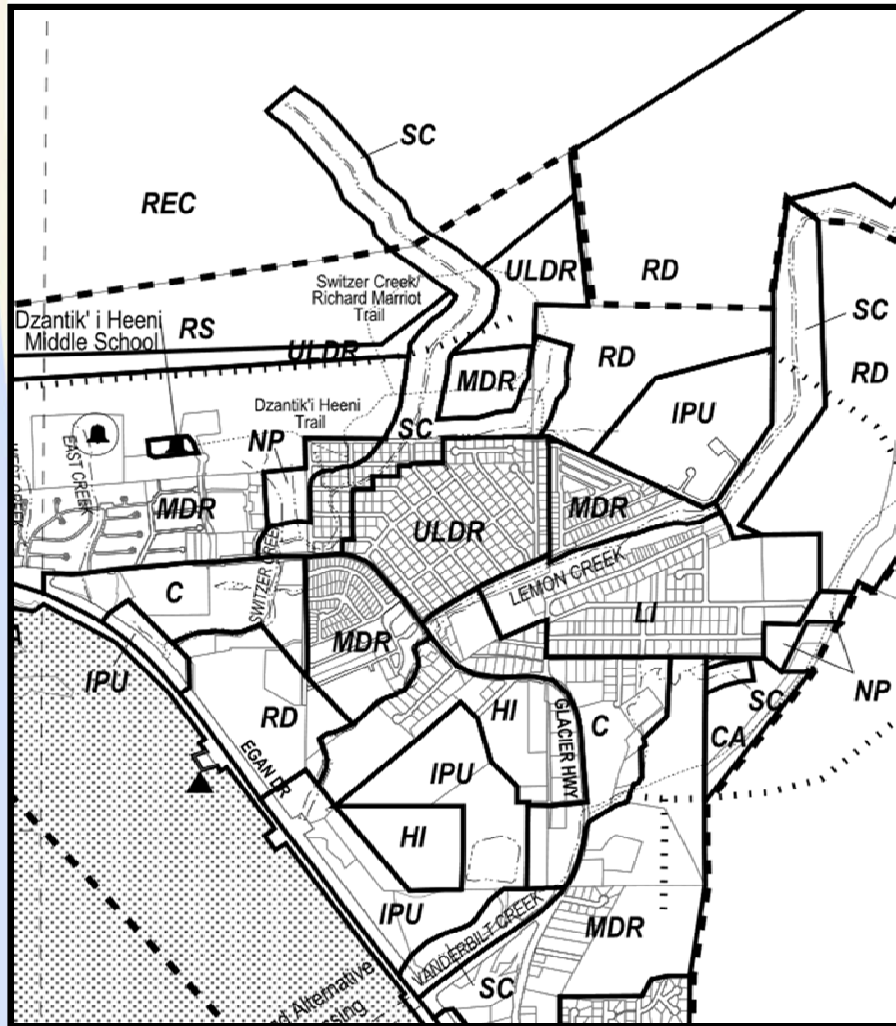
Medium Density Residential (MDR) – These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses.

Examples of designated areas:

- Auke Bay Center / UAS campus
- Kodzoff Acres / Cinema Drive area
- Fred Meyer area
- Switzer Creek area
- Vanderbilt Creek / Tamarack Trails area
- Chicken Ridge
- West Juneau

Medium Density Residential

18



Compliance with Title 49

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

Compliance with 2013 Comprehensive Plan

- Policy 10.3 - To facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.
- Policy 10.10 - To encourage small-scale neighborhood convenience commercial uses in appropriate areas in new neighborhoods and with appropriate operating measures within existing neighborhoods.
- Policy 10.13 - To provide for and encourage mixed use development that integrates residential, retail and office use in downtown areas, shopping centers, along transit corridors, and in other suitable areas.

Compliance with Housing Action Plan

- Part 2, Solutions - Re-zone D18 zoning district to Mixed-Use.
- Part 2, Solutions - Evaluate other areas that need to be "up-zoned" – either areas that would be appropriate for greater residential density or switched from residential only to mixed-use areas.
- Part 2, Solutions - Adjust the language in the zoning ordinance to "require" there be both housing and commercial uses in mixed-use zoning districts.

Findings

- The proposed text amendment complies with the 2013 Comprehensive Plan and with Title 49 Land Use Code.

Recommendation

- Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to **APPROVE** the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

QUESTIONS & PUBLIC TESTOMONY



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: June 30, 2021

Case No.: AME2020 0001

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: A text amendment proposing new zoning districts: Neighborhood Commercial (NC) and Mixed Use 3 (MU3)

Property Address: N/A

Legal Description: Borough-wide

Parcel Code Number: 0

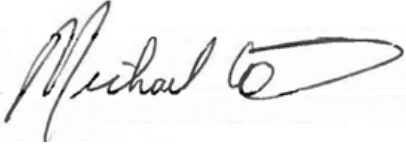
Hearing Date: June 22, 2021

The Planning Commission, at a Special public meeting, adopted the analysis and findings listed in the attached memorandum dated June 15, 2021, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment proposing new zoning districts: Neighborhood Commercial (NC) and Mixed Use 3 (MU3). The Planning Commission recommended approval of the new zoning districts with minor changes made to 49.25.300 Table of Permissible Uses relating to MU3.

Attachments: June 15, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding AME2020 0001.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

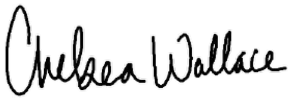
City and Borough Assembly
Case No.: AME2020 0001
June 30, 2021
Page 2 of 2



Michael LeVine, Chair
Planning Commission

July 6, 2021

Date



Filed With City Clerk

July 7, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2020 0002: A Text Amendment to add landscaping and vegetative cover purpose statements to the
CBJ Land Use Code - RECOMMENDED APPROVAL TO ASSEMBLY

AGENDA ITEM:

Case No.: AME2020 0002

Applicant: City & Borough of Juneau

Location: Borough-wide

Proposal: A Text Amendment to add landscaping and vegetative cover purpose-statements to CBJ Land
Use Code

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.

ATTACHMENTS:

Description	Upload Date	Type
▣ Staff Report for AME2020 0002	6/15/2021	Staff Report
▣ Notice of Recommendation for AME2020 0002	7/7/2021	Notice of Recommendation



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: June 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.

STAFF RECOMMENDATION: Forward the proposed text amendment with a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- The CBJ Land Use Code contains minimal regulations for landscaping and vegetative cover.
- The Code does not have clear purpose statements for landscaping and vegetative cover.
- The proposed purpose statements would regulate vegetative cover for the purpose of stormwater and erosion control; landscaping would be regulated to minimize visual and noise impacts, increase compatibility between different land uses and visually unify development.

GENERAL INFORMATION	
Applicant	City and Borough of Juneau
Initiated By	Community Development Department
Property Affected	Borough-wide

LAND USE CODE AMENDED	
49.50.300	Vegetative Cover
49.80.120	Definitions
LAND USE CODE ADDED	
49.50.400	Landscaping

ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed ordinance and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed ordinance to the Assembly. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this text amendment. The Commission's recommendation will be forwarded to the assembly for final action.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.10.170(d)

The Commission shall hear and decide the case per 49.10.170(d) Planning Commission Duties. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezoning, indicating compliance with the provisions of this title and the comprehensive plan.

BACKGROUND

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

Prior to the 1987 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 04 to review all commercial development to ensure compliance with the architectural, vegetative cover, and landscaping standards in Title 04. A purpose for 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 local and its neighborhoods, reduce erosion and storm runoff, and maintain or replace vegetation.

This section of Title 04 was later repealed.

Developing purpose statements is the first step in the process. Staff intends to develop clear vegetative cover and landscaping standards in the near future. When those standards are developed, some of the language in the purpose statements may be relocated to the standards.

TEXT AMENDMENT SUMMARY

Staff reviewed all regulations within the CBJ Land Use Code 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 the purpose statements below be added to CBJ 49.50. The proposed language was brought before the Title 49 Committee on March 5, 2020 and October 5, 2020. The language below was approved by the Committee.

CBJ 49.50.300 Vegetative Cover

Purpose. The purpose 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. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous hardscape designed to mitigate the risk of flooding and slow the drainage of stormwater shall count toward vegetative cover requirements.

CBJ 49.50.400 Landscaping

Purpose. The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

COMPLIANCE WITH TITLE 49

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

TITLE 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code. Additionally, the proposed amendment will not create any inconsistencies in Title 49.

Code Reference	Item	Summary
49.05.100	Purpose Statement	The proposed text amendment complies with the purpose and intent of Title 49.

COMPLIANCE WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
7	85	Policy 7.7	<i>Policy 7.7 TO PROTECT, MAINTAIN AND IMPROVE SURFACE WATER, GROUNDWATER AND MARINE WATER QUALITY IN ITS JURISDICTION SO THAT ALL WATERS ARE IN COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY STANDARDS AND CONTINUE TO ALLOW AQUATIC LIFE TO THRIVE.</i>
10	132	Policy 10.4	<i>TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERS IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATION DECISIONS AND REGULATORY MEASURES.</i>
10	134	Implementing Action 10.6 1A4 (B)	<i>Provision and/or retention of buffers between residential and commercial or industrial uses, and between high-and-low density residential uses to ameliorate noise, glare and to otherwise reduce negative impacts associated with conflicting land uses in proximity to one another.</i>

PUBLIC COMMENTS

Two publicly advertised Title 49 Committee were held on March 5, 2020 and October 5, 2020. No public comment was received. When amendments to the vegetative cover and landscaping standards are proposed, staff will hold publicly advertised meetings and to gather community input.

FINDINGS

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Analysis: The proposed amendment is generally consistent with the policies in the 2013 Comprehensive Plan.

Finding: Yes. The proposed text amendment conforms to the 2013 Comprehensive Plan.

2. Does the proposed text amendment comply with Title 49 – Land Use Code?

Analysis: The proposed text amendment was drafted with the purpose and intent of Title 49 taken into account.

Finding: Yes. The proposed text amendment conforms to the purpose and intent of Title 49 land use code. Additionally, the proposed text amendment does not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance

Presented by: The Manager
Presented: 06/08/2021
Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to Landscaping and Vegetative Cover.

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 Section. Article III. Vegetative Cover is amended to read:

49.50.300 Purpose.

The purpose 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. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous concrete used on site shall count toward vegetative cover requirements.

49.50.310 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10

WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

49.50.320 Plan Submittal.

The areas to be maintained with vegetative cover shall be shown on the plans submitted for a development permit.

49.50.330 Areas included.

The required percentage of area maintained with vegetative cover may include required landscaping, sensitive area open space, or any other required natural areas.

Section 3. Addition of Section. Article IV. Landscaping

49.50.400 Purpose.

The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading or storage areas), and sculptural elements.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption. Adopted this XX day of July 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: June 29, 2021

Case No.: AME2020 0002

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code

Property Address: N/A

Legal Description: Borough-wide

Parcel Code Number: 0

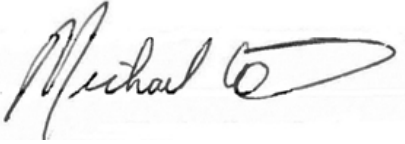
Hearing Date: June 22, 2021

The Planning Commission, at a Special public meeting, adopted the analysis and findings listed in the attached memorandum dated June 15, 2021, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to include purpose statements for landscaping and vegetative cover in Title 49.

Attachments: June 15, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding AME2020 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

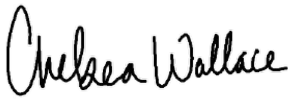
City and Borough Assembly
Case No.: AME2020 0002
June 29, 2021
Page 2 of 2



Michael LeVine, Chair
Planning Commission

July 6, 2021

Date



Filed With Municipal Clerk

July 7, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2015 0010: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover standards - DENIED THE REZONE

AGENDA ITEM:

Case No.: AME2015 0010

Applicant: City & Borough of Juneau

Location: Auke Bay

Proposal: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover standards

RECOMMENDATION:

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

ATTACHMENTS:

Description	Upload Date	Type
▣ Staff Report for AME2015 0010	6/15/2021	Staff Report
▣ Presentation for AME2015 0010	6/22/2021	Presentation



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: June 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover standards

STAFF RECOMMENDATION: Staff recommends the Planning Commission recommend APPROVAL to the Assembly for a rezone of the Auke Bay Center to Neighborhood Commercial and Mixed Use 3

KEY CONSIDERATIONS FOR REVIEW:

- Comprehensive Plan Land Use Designations are Medium Density Residential (MDR), Marine/Mixed Use (M/MU), Institutional and Public Use (IPU), and CBJ Recreational Service Area (RS).
- A rezone to NC and MU3 would be in general conformance with the Land Use Designation under the 2013 Comprehensive Plan and the Auke Bay Area Plan recommendations.
- Staff is recommending removing the Tanner Terrace Subdivision from the NC zoning district and including UAS property along Glacier Highway.

GENERAL INFORMATION	
Property Owners	Multiple
Applicant	City and Borough of Juneau, Alaska
Property Addresses	Multiple
Legal Description	Multiple
Parcel Numbers	Multiple
Zoning	LC; GC; D3; D10(T)D15; D15; D10
Land Use Designation	MDR, M/MU and RS
Lot Size	See map
Water/Sewer	CBJ
Access	Glacier Highway and Back Loop Road
Existing Land Use	Residential, Commercial and School
Associated Applications	AME2021-0005

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this rezone.

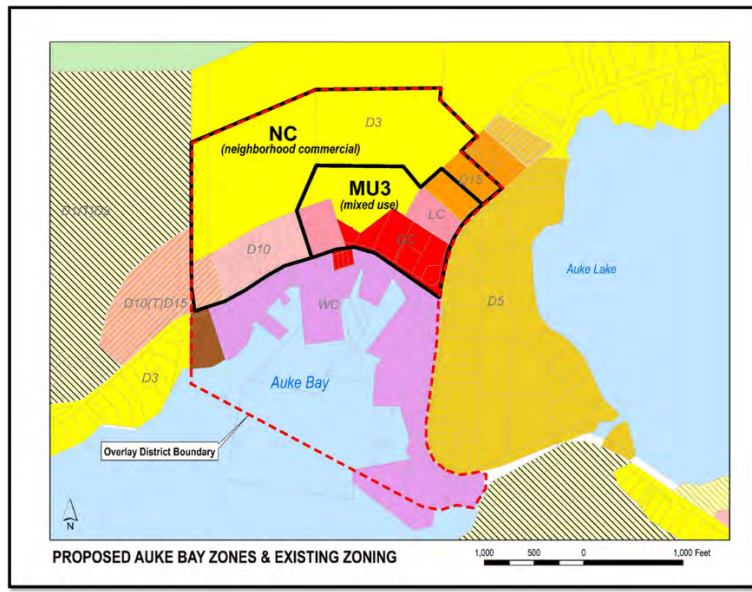
STANDARD OF REVIEW:

- Legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - o 49.75.120
 - o 49.10.170(d)
 - o 49.80

The Commission shall hear and decide the case per 49.75.120 - Restrictions on rezoning. Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

Fostering excellence in development for this generation and the next.

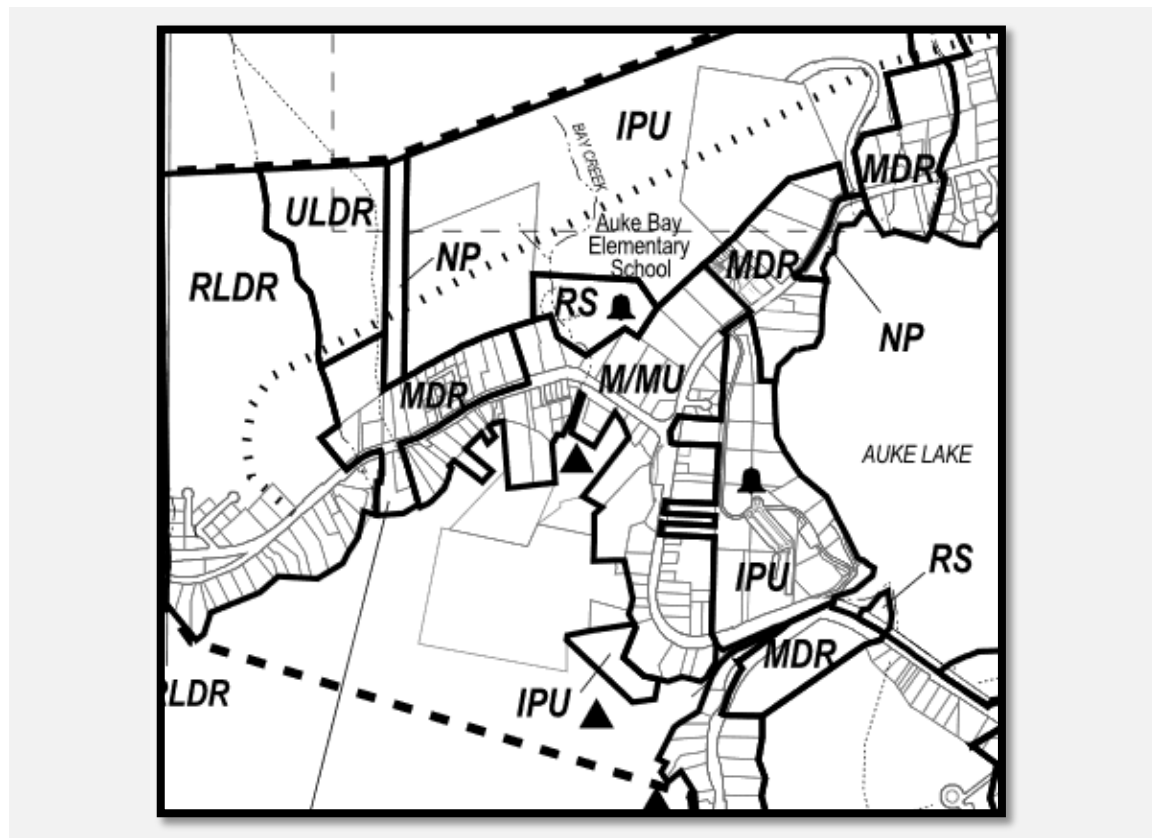
CURRENT ZONING & PROPOSED ZONING



SURROUNDING ZONING AND LAND USES	
North (D3)	University of Alaska Rec Center & housing
South (WC)	Boat Harbor, multi-family & single-family
East (D15)	Multi-family
West (D10 (T) D15)	Single-family

SITE FEATURES	
Anadromous	No
Flood Zone	Zone X (Minimal Hazard)
Hazard	No known
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	None

LAND USE DESIGNATION MAP



PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Auke Bay Implementation Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

BACKGROUND INFORMATION

Project Description – This is a CBJ initiated rezone request encompassing approximately one square mile of the Auke Bay Center as defined in the Auke Bay Area Plan. (See the map below) The table below compares the current zoning districts, density and dimensional requirements to the proposed zoning districts.

Feature	D3	D5	D10	D15	NC
Density	3 units/ acre	5 units/acre	10 units/ acre	15 units/ acre	15 units/ acre*
Maximum Height	35 feet	35 feet	35 feet	35 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	20 feet	20 feet	0-20 feet max

*Density can be increased to 30 units per acre with the Auke Bay Overlay District.

*Height can be increased to 45 feet with the Auke Bay Overlay District.

Feature	D3	LC (Light Commercial)	GC (General Commercial)	MU3
Density	3 units per acre	30 units/ acre	50 units/ acre	30 units/ acre*
Maximum Height	35 feet	45 feet	55 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	10 feet	0-15 feet max

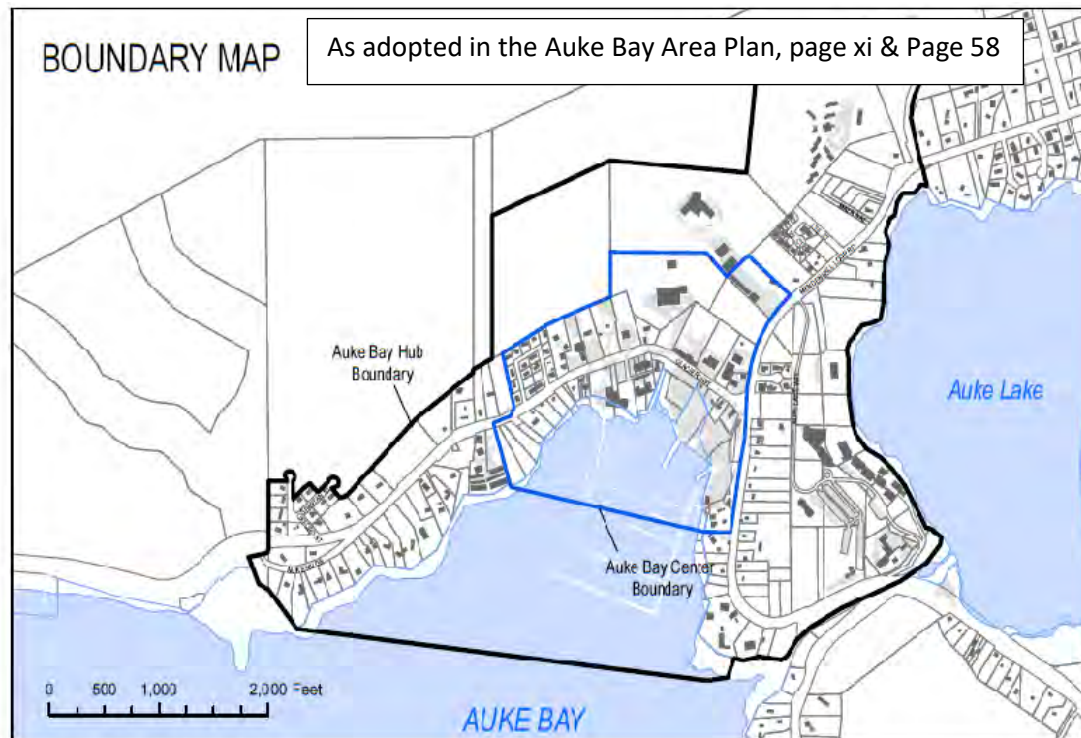
*Density can be increased to 50 units per acre with the Auke Bay Overlay District.

*Height can be increased to 55 feet with the Auke Bay Overlay District.

Auke Bay Area Plan – The Auke Bay Area Plan (ABAP) was adopted on March 16, 2015 (Ordinance 2015-13). The public outreach process for the ABAP involved 21 Steering Committee meetings, 3 open house-style meetings and 2 design charrettes. The public was notified of these meetings with over 1,000 household notifications, 230 flyers posted in the Auke Bay area and 54 newspaper advertisements. The public meetings were well attended and the public played a direct role in recommending goals and actions items for the Plan. Throughout the two year public process the ideas for a land use vision for the Auke Bay Center came up numerous times. Ultimately, the community came up with the following Land Use Vision:

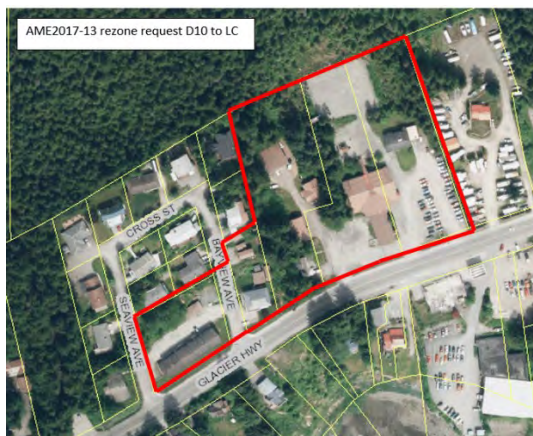
Land Use Vision for the Auke Bay Center (Auke Bay Area Plan: Chapter 1 Land Use, begins on page 6)

- Change the Marine/Mixed Use land use designation for the uphill portion of Glacier Highway to be more in line with the Traditional Town Center designation
- Build-to lines (i.e. small front yard setbacks)
- Building heights of at least two stories
- Buildings oriented toward the street
- Ground floor retail, offices; Upper-story residential and live/work units
- Interesting building facades for enhancing appearances
- Parking that is located in the rear, side or under buildings
- Hidden trash receptacles, loading docks, outdoor mechanical and electrical equipment
- Preserve scenic vistas and viewpoints
- Create a connected street grid with narrow streets, wide sidewalks and on-street parking in the Auke Bay Center
- Pedestrian Connections
- Street furniture, banners and plantings
- Park and Ride transit services
- Neighborhood park facilities
- An active Auke Bay Center

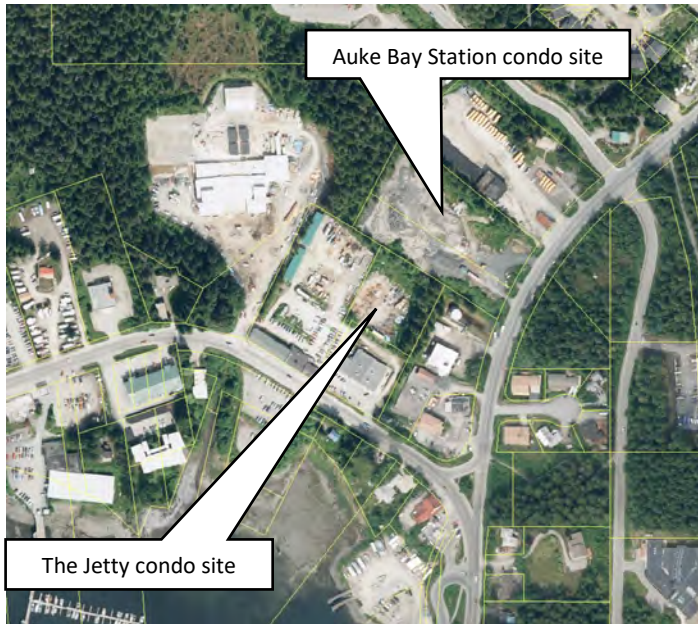


Recent Land Use Cases - In 2016, CDD staff and the Title 49 Committee began meeting to create new zoning districts for the Auke Bay Center that would implement the Land Use Vision. The proposed zoning districts included building and streetscape design standards. The Title 49 Committee felt that the proposed regulations needed more work and asked staff for a revision. Due to staff and director turnover the revisions were never completed.

In 2017, CDD received a rezone request from four property owners in Auke Bay (AME2017-13). The request was rezone of seven acres from D10 to LC (See the map below). The request complied with the 2013 Comprehensive Plan and, in general, complied with the Auke Bay Area Plan. Staff recommended approval. Although the Planning Commission agreed with staff's findings the rezone request was denied. The Commission wanted to rezone the Auke Bay Center, as called for the in Auke Bay Area Plan, instead of rezoning parcel by parcel as rezone requests are submitted.



In October 2018, the Planning Commission heard a Conditional Use Permit request for The Jetty, a 32 unit residential condominium development to be located at 11798 Glacier Highway in the General Commercial zoning district (USE2018-16). The owners of the Auke Bay Station condominium development, located in the Light Commercial zoning district, were opposed to the development due to the GC height limits of 55 feet. The Auke Bay Station development was limited to a 45 foot height restriction due to the LC zoning district regulations. The Auke Bay Station owners were concerned that their views of Auke Bay would be blocked by the development. After reconsidering the USE2018-16, the Planning Commission approved The Jetty condominium development in January 2019.



Following the AME2017-13 and USE2018-16 cases, the Planning Commission formed an Auke Bay Implementation Sub-Committee to begin again the process of creating new zoning districts for the Auke Bay Center.

KEY CONCEPTS OF NEW ZONING DISTRICTS

Based on the land use concepts adopted in the Auke Bay Area Plan and public testimony for AME2017-13 and USE2018-16, staff and the Auke Bay Implementation Sub-Committee developed the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

The proposed zoning districts, NC and MU3, place a greater emphasis on mixed-use development of small-scale commercial and medium-to-high density residential with flexible setbacks that encourage the development of pedestrian-oriented buildings. Commercial development within the NC and MU3 zoning districts will be on a smaller scale than the MU, MU2, LC and GC zoning district while allowing for more commercial uses than are currently allowed in multi-family zoning districts.

Key Concepts of NC and MU3:

- Minimum lot size of 3,000 square feet.
- Minimum density of three dwelling units per lot. One and two dwelling units are allowed only if they are part of a mixed-use building.
- NC - Maximum density of 15 dwelling units per acre.
- MU3 – Maximum density of 30 dwelling units per acre.

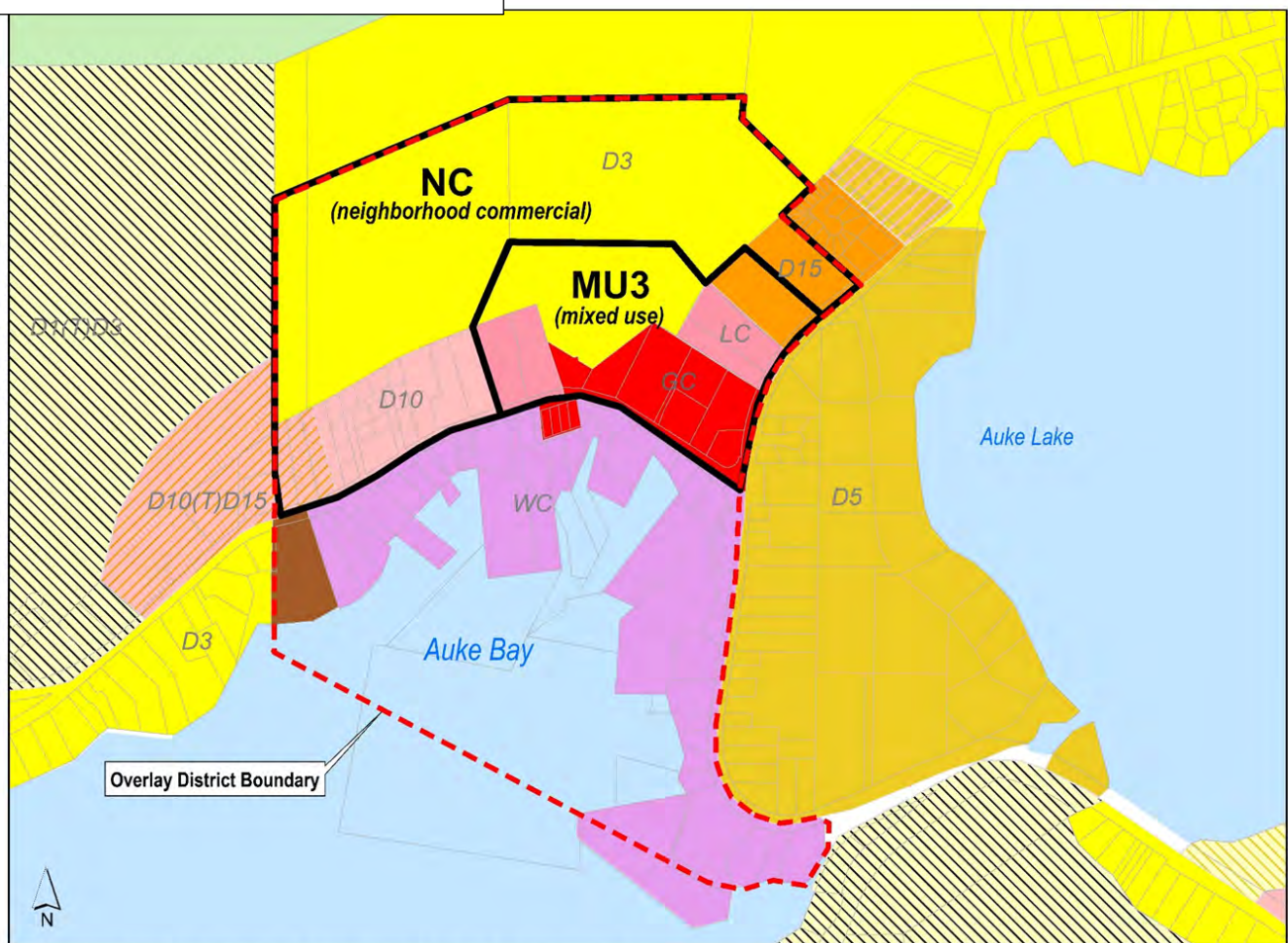
- Building height maximums of 35' for primary buildings and 25' for accessory buildings.
- Flexible front yard setback of 0' to 20' for NC and 0' to 15' for MU3. Maximum front yard setbacks will require parking to be located in the rear.
- Increased setbacks and landscaping requirements when buildings over 15' in height abut a residential zoning district.

PROPOSED BOUNDARIES FOR NC AND MU3 IN AUKE BAY

Through a series of work sessions (see page 3 for dates), the Auke Bay Implementation Sub-Committee has proposed the following boundaries for NC and MU3 in the Auke Bay Center.

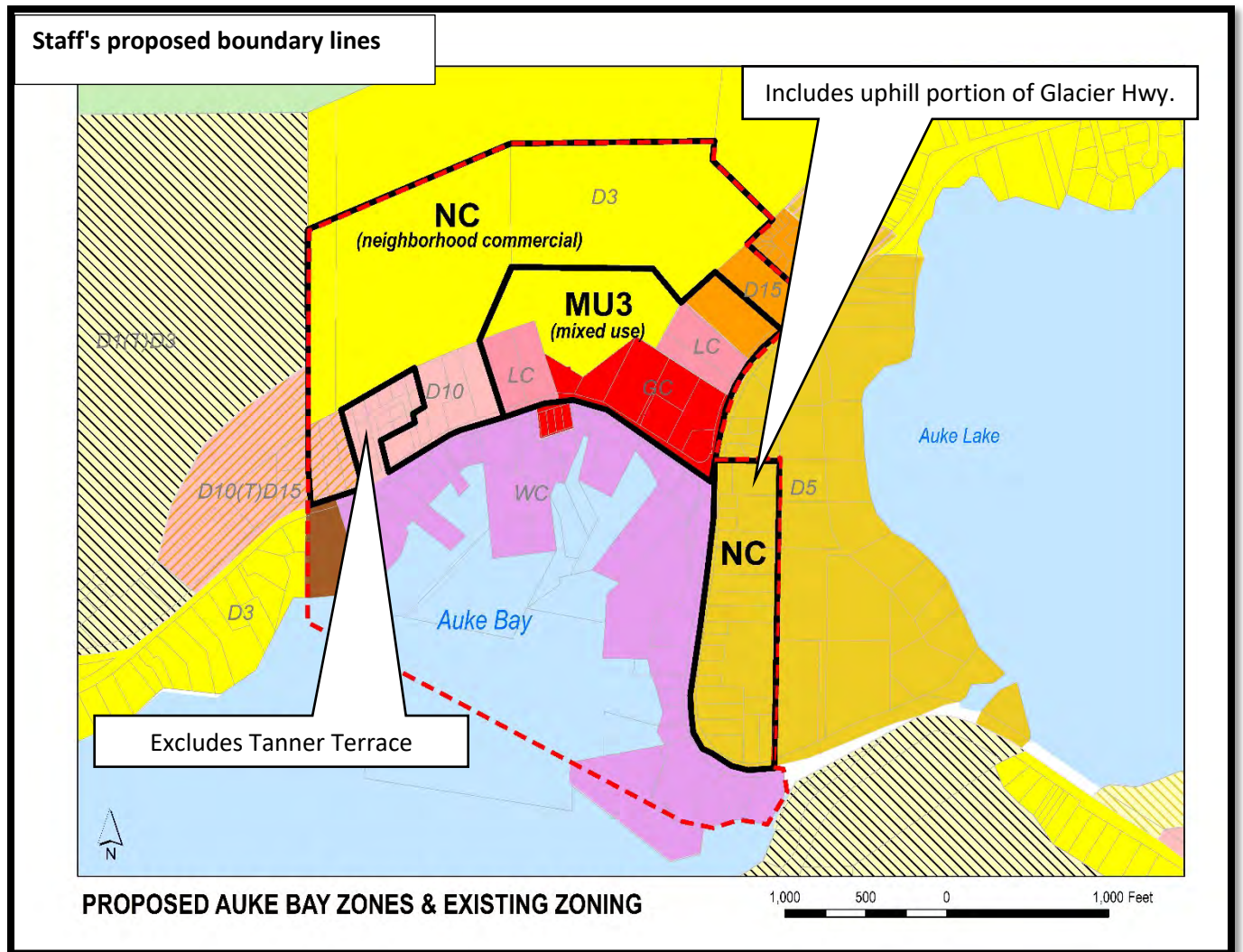
Based on public testimony received for residents of the Tanner Terrace Subdivision, staff is proposing the subdivision be removed from the proposed NC boundary. The majority of the lots east of Glacier Highway are owned by the University of Alaska Southeast. Staff is proposing these lots be included in the NC boundary.

Sub-Committee proposed boundary lines



PROPOSED AUKE BAY ZONES & EXISTING ZONING

1,000 500 0 1,000 Feet



SUMMARY OF PUBLIC COMMENT

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following the meetings. Written comments were read prior to the start of each meeting and those comments informed the decisions made at the Ad Hoc Committee meetings. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. The majority of the comments received at that meeting were related to the boundaries of the proposed zoning and not the recommended features of the zoning districts. When a re-zone request is initiated, a public meeting in the neighborhood where the re-zone request is located will be held and borough-wide public notice will be given for a public hearing. This requirement was fulfilled with the series of public meetings held in Auke Bay.

NAME	ADDRESS	COMMENTS FROM PUBLIC MEETINGS AND COMMITTEE OF THE WHOLE MEETING
Lisa Greenough	Fritz Cove Road	Concerned small front and side yard setbacks would not allow for ADA parking in front of buildings.
Marcia Donnelly	National Park Road	Concerned about more development, traffic issues along Glacier Highway and waste water capacity.
Jerry Schoenberger	Cannery Cove	Concerned about traffic speeds along Glacier Highway and lack of lighted crosswalk at Auke Bay Elementary.
Mike Allen	Oxford Street	Concerned about preserving views, lack of parking for new development, likes Auke Bay the way it is.
Bruce Conant	Auke Bay	In favor of the rezone. Planning for the future is key to success. Creating a bypass road through traffic is also key to the success of growth in Auke Bay.
Joann Schmidt (AME2017-13 applicant)	Bayview Street (Tanner Terrace)	In favor of keeping her Tanner Terrace property in the NC district.
Rick and Lisa Currier	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Andy Meiners	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Mark Schwann and Debbie Ballum	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Andi and Mike Story	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Ron and Julie Flint	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.

Vickie Van Fleet and Jack Gitchell	Tanner Terrace Subdivision	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Jeremy Woodrow	Seaview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Alan and Ann Doty	Seaview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Gerry and Mary Quigg	Bayview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Karen Forrest	Glacier Highway	Concerned that NC and MU3 boundaries extend beyond Auke Bay Center boundaries adopted in the Auke Bay Area Plan.
Various Residents	Auke Bay	Concerned about a road being developed on Spaulding Meadow trail. (Staff assured the residents that no future road is planned)

COMMUNITY SERVICES

The table below summarizes community services that may be affected by the proposed rezone.

Service	Summary
Water/Sewer	Public; provided by CBJ
Fire Service	Capital City Fire Rescue
Schools	Auke Bay Elementary School; University of Alaska Southeast

ACCESS AND TRAFFIC IMPACTS

All properties within the rezone area are accessed by Glacier Highway, an AKDOT arterial. Arterials typically are roadways with high traffic volumes that move vehicles from one place to another quickly. In this section of Auke Bay, Glacier Highway has a 35 mph speed limit with 12-foot travel lanes and five-foot sidewalks on both the north and south side. AKDOT was contacted about the proposed rezone and has no objections. Any future development that generates more than 100 vehicles at peak travel times will require a Traffic Impact Analysis (TIA), per DOT&PF requirements.

CBJ Streets Department does not have any concerns with the proposed rezone. Any future development that requires the construction of CBJ local roads will be reviewed for compliance with Title 49 in order to be accepted for ownership and maintenance by CBJ. Per 49.40.300(a), if a development is expected to generate fewer than 250 average daily trips (ADTs) a TIA is not required; if a development is expected to generate more than 250 ADTs and less than 500 ADTs the director may determine whether a TIA is necessary; and if a development is expected

to generate 500 or more ADTs, a TIA is required. Traffic counts will be estimated and traffic impacts will be evaluated when a future development is proposed.

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes environmental, conservation, historic, and archeological resources that may be affected by the proposed rezone.

Resource	Summary
Conservation	No
Wetlands	No
Anadromous	No
Historic	No
Archeological	No

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

Compliance with the Comprehensive Plan – The lots have a Comprehensive Plan future land use designations of Medium Density Residential (MDR), Marine/Mixed Use (M/MU), Recreation Service Parks (RS) and Institutional/Public Use (IPU) according to Map F of the Comprehensive Plan (Attachment X). This land use designation is described in the Comprehensive Plan as follows:

Medium Density Residential – These lands are characterized by urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).

Marine/Mixed Use – These lands are characterized by high density residential and non-residential land uses in area in and around harbors and other water-dependent recreational or commercial/industrial areas. Typically, neighborhood-serving and marine-related retail, marine industrial, personal services, food and beverage services, recreational services, transit and transportation services should be allowed and encouraged, as well as medium-to-high density residential uses at densities ranging from 10 to 60 residential units per acre. Ground floor retail spaces facing roads with parking behind the retail and housing above would be appropriate and efficient use of the land. Float homes, live-aboards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for this area.

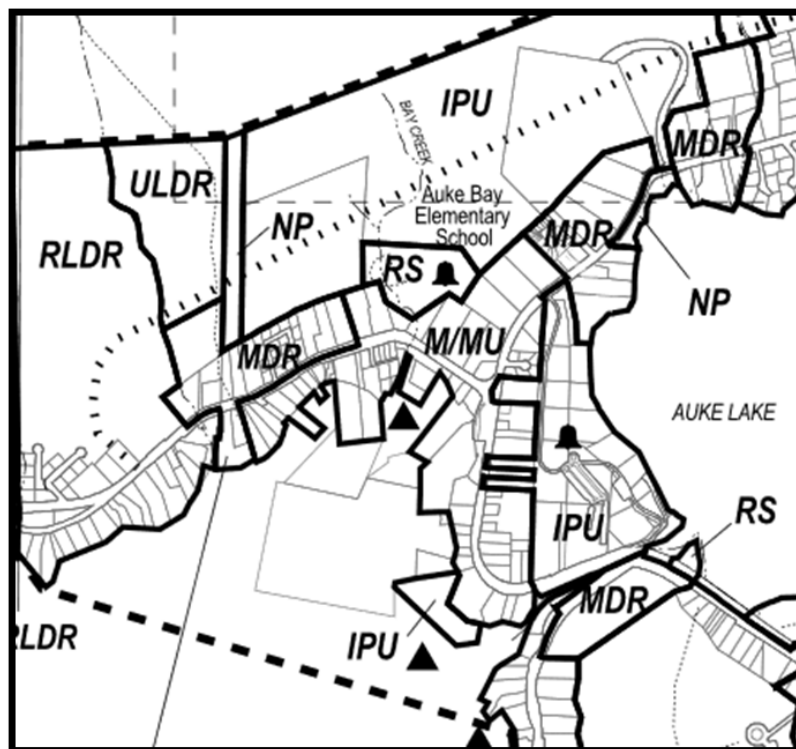
The MDR and M/MU areas encompass the majority of the proposed rezone area. This area is currently zoned for light –to-high-intensity commercial uses (LC and GC) and multi-family residential. These lands are located near a CBJ Capital Transit route, within walking distance of the UAS campus and Rec Center, Auke Bay Elementary School, CBJ's Statter Harbor and a variety of restaurants and businesses.

Recreational Service Parks - Recreation Service Parks include CBJ-owned lands with parks developed for active recreation, programmed use, and/or community gardens. Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS-designated lands. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities beyond those accessory to park development. The CBJ should retain ownership of these lands. As many of the existing RS-designated lands are smaller than the minimum area required for a unique zone, these lands must be within the zoning district that surrounds or abuts them.

The RS area encompasses Auke Bay Elementary and a walking trail that connects to the UAS land above. This area is currently zoned for D3 single-family residential. The proposed rezone to Neighborhood Commercial (NC) would allow multi-family residential with up to 15 dwelling units per acre and small-scale commercial. The NC zoning district would be well suited for development in the RS land use area. The community would benefit from having medium density housing development and small-scale commercial within walking distance to Auke Bay Elementary and the established walking path to UAS.

Institutional and Public Uses - Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat harbors, schools, parks, farmers markets, publicly-supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities and road and public transit system easements. Also included are public aircraft facilities. The public use of these lands will vary widely, so IPU-designated lands can be under any zoning district, with the uses thereon appropriate for that zone as regulated in the Table of Permissible Uses (CBJ 49.25.300); the zone of any particular public use should be the same district as the surrounding or abutting lands.

The IPU land use designation encompasses the UAS Rec Center and student housing. This area is currently zoned D3 (single-family residential with densities of 3 dwelling units per acre). UAS has limited development potential under the current D3 zoning. UAS is a strong economic driver for the community and any infill development, programs and services that UAS is able to offer would be a benefit to the community.



2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
4	38	Policy 4.3	<i>TO DESIGNATE ON LAND USE MAPS AN ADEQUATE SUPPLY OF BUILDABLE LAND WITHIN THE URBAN SERVICE AREA, AND PARTICULARLY ALONG TRANSIT CORRIDORS, FOR RESIDENTIAL USE AT DENSITIES THAT CAN PRODUCE HOUSING AFFORDABLE TO ALL ECONOMIC GROUPS.</i>
4	41	Policy 4.8	<i>TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.</i>
10	131	Policy 10.3	<i>10.3. TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS AFFORDABLE TO ALL ECONOMIC GROUPS.</i>
10	132	Policy 10.4	<i>POLICY 10.4. TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERSE IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATIONAL DECISIONS AND REGULATORY MEASURES.</i>
10	132	Policy 10.4 – IA1	<i>Seek to reduce or eliminate conflicts between medium or high density residential uses in established low density residential neighborhoods by encouraging the design of higher density housing to be compatible in scale, massing and orientation with the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).</i>

Auke Bay is located within the Comprehensive Plan Subarea 3. The Comprehensive Plans has specific guidelines and considerations for Subarea 3.

Guidelines and Considerations for Subarea 3:

- Conduct an area plan or neighborhood plan for the Auke Bay area that would address residential and non-residential uses in the vicinity of the cove, harbor and University with the goal of creating a Marine Mixed Use, transit and pedestrian-oriented village in Auke Bay. Marine Mixed Use land uses could include: Water-related recreation, eco-tourism, commercial fisheries, sport fisheries, marine-related research and aquaculture, and other private and public use of the waters; shoreline and inland areas of Auke Bay including the University of Alaska Southeast (UAS) campus, student and faculty housing, neighborhood-commercial needs, transportation systems, habitat protection, educational facilities, careful urban design, and view scape protection measures. This study should address the needs of and should include the participation of all stakeholders including property owners, residents, business operators, University administration, student and faculty, the Alaska Department of Transportation and Public Facilities, all relevant CBJ Departments and Divisions, NOAA staff and researchers and residents of neighborhoods who regularly traverse the Auke Bay area.
- Encourage high-density, transit-oriented residential and/or mixed use developments in the Auke Bay “village” area and around the University, particularly for student and faculty affordable housing.
- Provide for expansion of the UAS campus, including student and faculty housing and athletic facilities.

2015 AUKE BAY AREA PLAN – The proposed rezone is in compliance with the Auke Bay Area Plan.			
Chapter	Page No.	Item	Summary
1	6	Land Use Vision	<i>Create a village-like setting with ground floor commercial and residential above, parking located at the rear, side or under buildings, pedestrian-oriented buildings constructed close to the right-of-way while preserving key view sheds.</i>
1	13	Goal 1	<i>Develop Auke Bay as a community to live, learn, work, shop and recreate within</i>
1	13	Goal 3	<i>Coordinate and support the development of an Auke Bay hub that serves the needs of the University, the harbors, businesses and residents.</i>
1	13	Goal 4	<i>Ensure zoning changes in the Auke Bay area conform to the goals and policies of the Auke Bay Area Plan.</i>
1	13	Policy 5.1	<i>Review the Auke Bay Area Plan when considering zone changes.</i>
1	13	Policy 5.2	<i>Promote zone changes that conform to the Plan and further advance the goals and policies of the Plan.</i>

AGENCY REVIEW

CDD conducted an agency review comment period between 5/21/2021 – 6/4/2021. Agency review comments can be found in Attachment E.

Agency	Summary
CBJ Streets	No concerns at this time.
Alaska Department of Transportation	Planning – Planning has no objection to the rezone. ROW – Any and all points of access be it approach roads or driveways shall conform to Alaska Highway Preconstruction Manual standards. Provided anticipated traffic generation from these subdivisions is less than 100 vehicles per hour, no Traffic Impact Analysis would need to be performed. It may need to be performed once the nature of the development is known. If anticipated traffic volume is to exceed 100 vehicles per hour, then a Traffic Impact Analysis should be performed. SCR ROW has no objections to this proposed rezone by CBJ. Traffic and Safety – No further comments. Environmental – No comments at this time.
CBJ Engineering & Public Works	The rezone has the potential to increase demand on local infrastructure. Upgrades that may be needed overtime include: • Expansion of the treatment capacity at the Auke Bay plant or rerouting effluent to the Mendenhall Plant. • Increasing capacity of the municipal drinking water sources, transmission piping and reservoirs.

Agency	Summary
	• Larger drainage collection, conveyance and treatment infrastructure. In order to have more time to plan for and fund these upgrades, E&PW recommends restricting overlay district to only non-CBJ properties until upgrades are complete.
CBJ Building	No concerns with this project.
Capital City Fire/Rescue	No comments.
CBJ Assessor	See Attachment E.

ZONE CHANGE OPTIONS AND ALTERNATIVES

As stated in CBJ 49.75.130(a), the Commission may recommend approval, approval with modifications or denial of a rezone request. The Commission may recommend approval to the Assembly for different zoning districts than what is requested by the applicant or recommended by staff. Additionally, the Commission can recommend modifications to the boundaries of the area to be rezoned. This means that if the Commission wishes to do so, the zoning district boundary lines may be moved from its current location, as long as it is found to be in substantial conformance with the Comprehensive Plan and Title 49 – Land Use Code. Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

Staff recommends altering the proposed boundary line of the NC zoning district to exclude the single-family lots located within the Tanner Terrace Subdivision.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed rezone.

1. *Was the rezone application filed timely in accordance with CBJ 49.75.110?*

Analysis: No additional analysis required.

Finding: **Yes.** The rezone application was filed in January 2021.

2. *Was adequate public notice provided in accordance with CBJ 49.75.110?*

Analysis: CDD staff held public meetings between 2018 and 2019, and mailed written notice to property owners within 500 feet of the proposed rezone. On March 10, 2020 and December 15, 2020, the Planning Commission held two Committee of the Whole meetings. Public testimony was taken at the December meeting.

Finding: **Yes.** Adequate public notice was provided in accordance with CBJ 49.75.110.

3. *Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?*

Analysis: The rezone request covers more than 2 acres.

Finding: **Yes.** The proposed rezone meets the minimum area required by CBJ 49.75.120.

4. *Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?*

Analysis: No additional analysis required.

Finding: Yes. No similar rezone request has been filed within the previous 12 months for any of the rezone options.

5. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?*

Analysis: The rezone proposal is in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120.

Finding: Yes. The proposed rezone is in substantial conformance with the land use maps and policies of the comprehensive plan.

6. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?*

Analysis: Yes. The proposed zoning districts and uses allowed are in the Title 49 Land Use Code.

Finding: Yes. The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

RECOMMENDATION

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Abutters Notice
Attachment B	Zoning District Draft Ordinance
Attachment C	Comp Plan Map
Attachment D	Public Comments
Attachment E	Agency Comments

Invitation to Comment

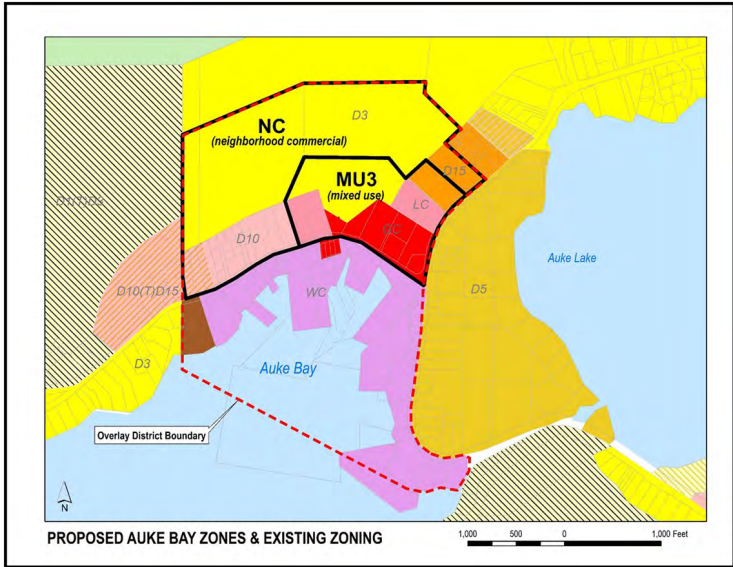
On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:



A rezone and text amendment are being proposed to rezone a portion of the Auke Bay Center to Mixed Use 3 and Neighborhood Commercial, and the creation of the Auke Bay Overlay District.

TIMELINE

Staff Report expected to be posted **Tuesday, June 1, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

March 27 noon, June 7

Comments received during this period will be sent to Commissioners to read in preparation for the hearing. If you have previously submitted written comments those have already been included in the staff report.

HEARING DATE & TIME: 7:00 pm, June 8 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, <https://juneau.zoom.us/j/95600342842>. The Webinar ID is: 956 0034 2842. To join by telephone, call: 1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 and enter the Webinar ID.

June 9

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Printed June 1, 2021

Case No.: AME2015-10 and AME2021-05
Parcel No.: Multiple parcels
CBJ Parcel Viewer: <http://epv.juneau.org>

Presented by: The Manager
Introduced:
Drafted by:

DRAFT

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning 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 49.25 Zoning Districts to read:

Chapter 49.25 – ZONING DISTRICTS

ARTICLE II. ZONING DISTRICTS

49.25.220 Mixed use districts.

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

49.25.230 Commercial districts.

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that

is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

ARTICLE III. TABLE OF PERMISSIBLE USES

49.25.300 TABLE OF PERMISSIBLE USES

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I	NC	MU3
1.000	RESIDENTIAL																	
1.100	Single-family dwellings																	
	1.110 Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1	1 ^A	1 ^A		
	1.120 Single-family detached, two dwellings per lot	1	1	1														
	1.130 Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				
	1.140 Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3														
1.200	Duplex	1	1	1	1		1	1	1	1	1	1	1	1				
1.300	Multifamily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3			1, 3	1, 3
1.500	Child and Day care homes																	

	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.520	Reserved																	
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.540	Reserved																	
1.550		Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3				3	
1.600		Miscellaneous, rooms for rent situations																	
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 ^N			1, 3	
	1.620	Hotels, motels	3					-	-		1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N		1, 3	1, 3
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	1, 3
1.700		Home occupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1.800		Mobile homes																	

	1.810	Residential mobile homes on individual lots ^E	3	3	3													
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
	1.820	Mobile home parks ^E				3	3	3	3	3	3							
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3							
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F													
1.900	Common wall development																	
	1.910	Two dwelling units				1	1	1	1	1								
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.920	Three or more dwelling units				1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3				
2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G																	
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																	

	2.110	<i>Reserved</i>																
	2.120	Miscellaneous								1	1	1	1	3 ^N	3 ^N	3	1	1
	2.130	Marine merchandise and equipment	3 ^T							1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3	1	1
	2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods								1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	3		
	2.300	Marijuana retail store	3							3	3	3	3	3	3	3		3
	3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G																
	3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 ^N		1	1
	3.100	Offices greater than 1,000 but not more than 2,500 square feet					3	3	3	1	1	1	1	3 ^N			1	1
	3.200	<i>Reserved</i>																
	3.300	Research, laboratory uses	3 ^T							1, 3	1, 3	1, 3	1, 3	1 ^N	1 ^N	1, 3		1, 3
	3.400	Offices greater than 2,500 square feet								1, 3	1, 3	1, 3	1, 3	1 ^N		3 ^S	1, 3	1, 3
	3.500	Marijuana testing facility	3							3	3	3	3			3		
	4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G																

4.050	Light manufacturing	3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1 ^N , 1 ^N	1 ^N , 1 ^N	1, 3	1, 3	1, 3
4.070	Medium manufacturing	3 ^T									3	3	3	3 ^N	1 ^N , 1 ^N	1, 3		
4.100	Heavy manufacturing	3 ^T	3 ^Q												3 ^N	3		
4.150	Rock crusher	3 ^T	1 ^Q	1 ^Q											3 ^N	3		
4.200	Storage of explosives and ammunition	3													3 ^N	3		
4.210	Seafood processing	3 ^T												3	1, 3	1, 3		
4.220	Marijuana product manufacturing facility	3 ^{AC}									3	3				3		
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																	
5.100	Schools																	
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3				3
	5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	3 ^N	3 ^N	3	3
	5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3	3
5.200	Churches, synagogues, temples	3 ^T	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 ^N , 1 ^N	3 ^N	1, 3	3
5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N			1, 3

5.400	Social, fraternal clubs, lodges, union halls, yacht clubs		3 ^T					-	-		1, 3	1, 3	1, 3	1, 3	1 ^N ,	3 ^N	1, 3	1,3	1,3
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT																		
6.100	Indoor activity conducted entirely within building or substantial structure																		
	6.110	Bowling alleys, billiard, pool halls						-	-		1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
	6.130	Theaters seating for 200 or fewer	3 ^T					-	3	3	1	1	1	1	3 ^N		3	1,3	1
	6.135	Theaters seating from 201 to 1,000						-	-		3	1	1	1	3 ^N		3	1,3	1
	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3		3	3	3 ^N			
	6.150	Indoor shooting range	1, 3									3					3		
6.200	Outdoor activity conducted outside enclosed buildings or structures																		

6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	3	1, 3			3 ^N		3	1,3	
6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 ^N		3	1,3	
6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3										3					3		
6.250	<i>Reserved</i>																		
6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																		
6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N		1	1
6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N		3	3
6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3		

	6.280	Shooting ranges	3																
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																		
7.100	Hospital									3	3	3	3						
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3
7.200	Assisted living		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3				1,3	1,3
7.300	Day care centers						3	3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3
7.310	Child care centers	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3						
7.600	Sobering centers									3	3	3	3						
8.000	RESTAURANTS, BARS, NIGHTCLUBS																		
8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T					3	3	3	1	1	1	1	1 ^N		3	1	1	
8.100	Restaurants, bars without drive through service	3 ^T								1, 3	1	1, 3	1, 3	1 ^N , 3 ^N	3	3	1,3	1,3	
8.200	Restaurants, coffee stands with drive through service									1, 3	1		3	1 ^N , 3 ^N	3				

8.300	Seasonal open air food service without drive through	3							1, 3	1	1, 3	1, 3	1 ^N , 3 ^N			1, 3	1, 3
9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																
9.050	Motor vehicle, mobile home sale or rental								1, 3	1, 3	3	3				1, 3	
9.100	Motor vehicle repair and maintenance, including body work									3						1	
9.200	Automotive fuel station	3 ^T							3	1						1	
9.300	Car wash								3	1						1	
9.400	Boat sales or rental	3 ^T							3	1			1	1	1		
9.450	Boat repairs and maintenance	3 ^T								3			1	1	1		
9.500	Marine fuel, water sanitation	3 ^T											1, 3	1, 3	1, 3		
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3											3	3			
10.000	STORAGE, PARKING, MOORAGE																
10.100	Automobile parking garages or parking lots not related to a principal use on the lot								3	1	1, 3	1, 3				1	1, 3

10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
	10.210	All storage within completely enclosed structures	1, 3	3						3	1	1 ^U , 1 ^U , 3	1 ^N , 1 ^N	1				
	10.220	General storage inside or outside enclosed structures	1, 3	3							1, 3		1 ^N , 1 ^N	1				
	10.230	Snow storage basin																
	10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1		3 ^Z	1	1	3 ^Z	3 ^Z	
	10.235	Regional, ½ to 1 acre	3	3	3 ^Z					3 ^Z	3		3 ^Z	1	1			
	10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z						3 ^Z			3	3			
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot		1, 3	3							1, 3		1 ^N , 1 ^N	1				
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time		1, 3	3	3	3	3	3	3	3	1, 3	3	3	3	1 ^N	1	3	3
10.500	Moorage																	

	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3		
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
10.600	Floating structures supporting seasonal, commercial recreation		3	3	3										3	3			
11.000	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT																		
11.100	Recycling operations																		
	11.110	Enclosed collection structures ^c of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	1	1	1	1 ^P	1 ^P
	11.120	Enclosed structures for recyclable materials collection	1 ^P , 1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	3	3	1	1	1 ^P	3 ^P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure														1 ^N	1		
11.200	Reclamation landfill not associated with a specific use		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3		
11.300	Sanitary landfill		3														3		
12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS																		
12.100	Veterinary clinic		3	3	3						3	1, 3	3	3	1 ^N , 1 ^N	1 ^N , 1	3	3	

12.200	Kennel		3	3							3	3					1, 3		
12.250	Day animal services, grooming, walking, day care		3	3	3	3	3				3	3	3	3			1, 3	3	3
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component		3	3							3	3		3	3 ^N		3		
12.310	Wild animal rehabilitation facilities without a visitor component		3	3	3	3					3	3			3 ^N		3		
12.400	Horseback riding stables, dog team yards		3	3							3	3					3		
13.000	EMERGENCY SERVICES																		
13.100	Fire, police, ambulance		3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	1, 3	3	3
14.000	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																		
14.100	Aquaculture		3	3	3						3	3	3	3	1	1	3	1,3	1,3
14.150	Weirs, channels, and other fisheries enhancement		1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1		
14.200	Commercial agricultural operations																		
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3					1, 3	3	3
	14.220	Including farm animals ^M	1, 3	3													1, 3		

	14.230	Stabling of farm animals ^M	3	3	3	3					3	3					1, 3		
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3		
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
14.250	Personal use agriculture																		
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1		
14.300	Silviculture and timber harvesting ^J		3	3													3		
14.400	Mining operations		2, 3	3	3										3 ^N	3 ^N	2		
14.500	Sand and gravel operations ^I		3	3	3						3	3			3 ^N	3 ^N	3		
14.800	Spring water bottling		3	3			3	3	3	3	3	3					1, 3	3	
15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																		
15.100	Post office		3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3	1,3	1, 3
15.200	Airport		3														1, 3		
15.400	Military reserve, National Guard centers		3	3	3						3	3			3 ^N	3 ^N	3		

15.500	Heliports, helipads		3								3			3 ^N	3 ^N	3				
15.600	Transit facilities																			
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3	1,3	1, 3	
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1	3		
15.700	Public works facility		3	3	3	3					3	3					1, 3			
16.000	DRY CLEANER, LAUNDROMAT																			
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3	
16.200	Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 ^N	1 ^N ,	1, 3	1,3	1,3	
17.000	UTILITY FACILITIES																			
17.100	Minor		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
17.150	Intermediate		3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1	3	3	
17.200	Major		3	3	3	3	3	3	3	3	3	3			3	3	3	3	3	
17.300	Driveways and private roads																			

18.000	TOWERS AND RELATED STRUCTURES																		
18.100 ^{AA}	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 ^{AA}	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	1	1	1	3	3	
18.300 ^{AA}	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1			
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^R	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities																	
19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES																		
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1	1, 3	1, 3	1 ^N , 1	1 ^N , 1	1, 3	1, 3	1, 3	
19.200	Nurseries, commercial greenhouses																1, 3		
	19.210 Retail sales	3	3	3	3	3	3	3	3	1, 3	1	1 ^V	1 ^V			1	1, 3	1, 3	
	19.220 Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 ^V	1 ^V			1			
	19.230 Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3			

	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}						3	3					3		
20.000	CEMETERY, CREMATORIUM, MORTUARY																	
20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3	3	3						
20.200	Crematorium	3														1, 3		
20.300	Funeral home	3	3	3	3	3	3			1, 3	1	3	3				1,3	1,3
21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES																	
21.100	Resort, lodge	3	3															
21.200	Campgrounds	1, 3	3															
21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 ^N			3	3
22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																	
22.100	Temporary structures used in connection with construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

ARTICLE IV. DIMENSIONAL STANDARDS

49.25.400 TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations			RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																			
	Permissible Uses		36,000	36,000	12,000	7,000	3,600 ₁₀	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
		Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
		Duplex	54,000	54,000	18,000	10,500													
		Common Wall Dwelling				7,000	3,600 ₁₀	5,000	3,500	2,500		2,500							
		Single- family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width			150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'

	Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
	Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5' ^{5,8}	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
	Maximum street side yard setback											15'	10'					

Minimum rear yard setback ³		25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' ¹¹	10'	10'	10'	10'	10'
Minimum side yard setback ³		15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' ¹¹	10'	10'	10'	10'	0'
	Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

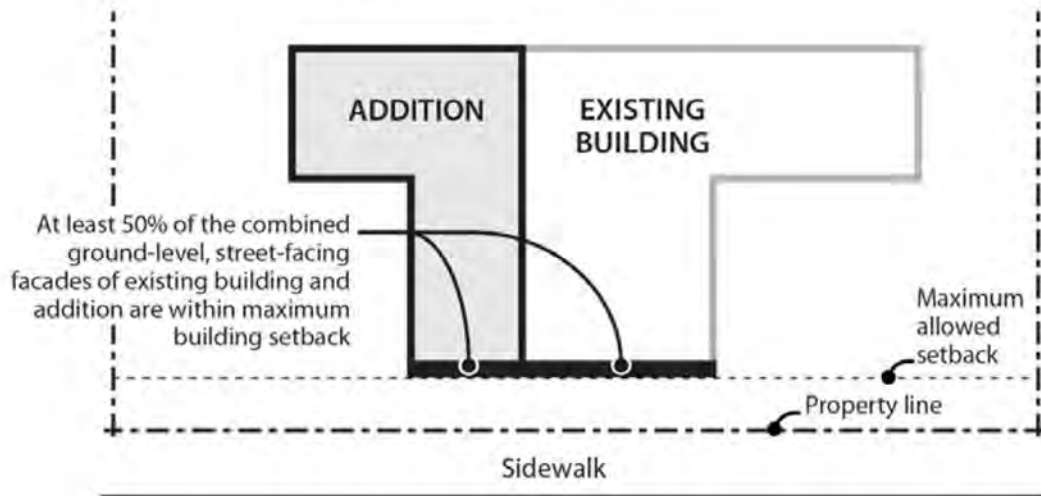
1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
9. Special restrictions apply to construction on bungalow lots. See special use provisions [49.65.600](#).
10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Minimal lot depth includes 50% of the width of adjacent alley.
 - (c) Minimum front yard setback of ten feet.
11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

49.25.430 Yard setbacks.

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest conforming buildings sharing a frontage and within a 150' radius.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

Alteration to Existing Building in Conformance with Maximum Setback Standard



(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5 foot setback and landscaping	Underlying zoning district setback, no landscaping
16 – 30 ft.	8 foot setback and landscaping	
31-55 ft.	10 foot setback and landscaping	

ARTICLE V. DENSITY

49.25.500 Density.

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

Zoning District	Maximum Dwelling Units/Acre
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-10	10 units per acre

D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
MU3	30 units per acre
NC	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

Section 3. Amendment of chapter. Chapter 49.50 Parks, Open Space and Vegetative Cover to read:

CHAPTER 49.50 PARKS, OPEN SPACE AND VEGETATIVE COVER

Article III. – Vegetative Cover

49.50.300 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
MU3, mixed use district	10
NC, neighborhood commercial district	25
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

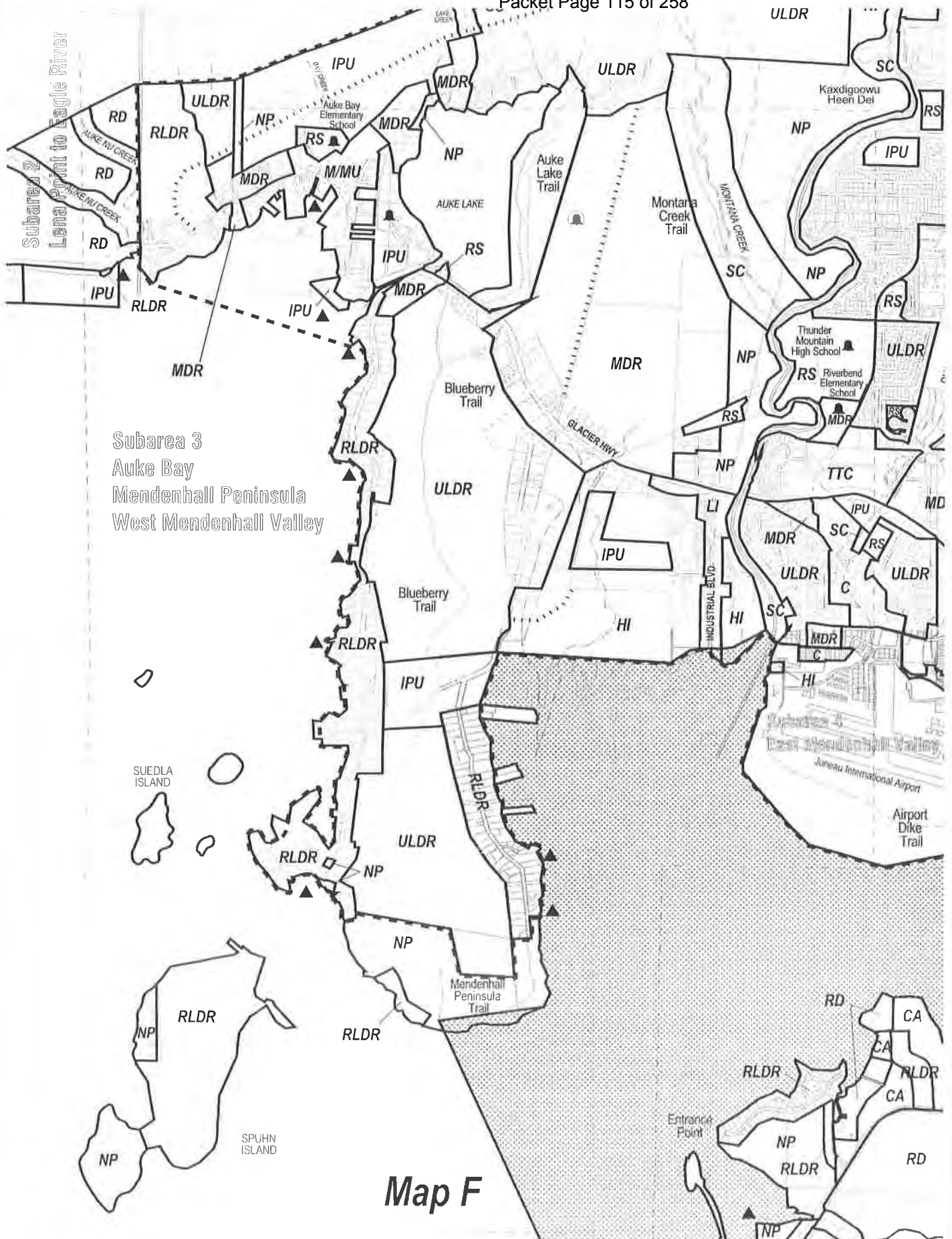
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Auke Bay Area Plan – Implementation

I applaud the efforts by so many people to develop, produce and adopt the forward thinking plan for the Auke Bay Area! Many places in America, indeed throughout the world, have not planned adequately ahead and have been paying the price and are playing catch up. This next phase is the difficult challenge of implementing it in a good way. Good steps forward are being made. Here are some of my thoughts on how to keep moving forward.

Auke Bay Bypass Road

The ultimate success of achieving the plan's vision is dependent upon the completion of the long term alternative in the Juneau-Auke Bay Corridor Study by Alaska DOT (alternative 3, pages 47-48). This road would be a complete bypass of the Auke Bay Community from Industrial Blvd., follow the east side of Hill 560, cross Back Loop at Goat Hill, continue behind Auke Bay Community and connect to Glacier Hwy near Auke Nu Creek. What a great opportunity, let's not lose it. This corridor needs to be protected from encroachment by developments that would hinder its ultimate implementation. Road projects take a long time to reach fruition. The Planning Commission and the Assembly need to actively advocate for it as soon as possible. This was the top choice of opportunities for the Auke Bay community by folks participating in the early development of the Auke Bay Area Plan (ABAP).

Possibilities

With the bypass road in place, Glacier Hwy from Fritz Cove intersection to Spaulding Meadows trailhead could become a CBJ road. Heavy commercial vehicles (dump trucks, busses, oil trucks, etc.), ferry and out the road traffic would use the bypass. If so, things that could happen on a CBJ road would be; a 25 mph speed zone, angle parking on the uphill side of the road from Auke Bay Lab to Spaulding Meadows trailhead, light activated pedestrian crosswalks, in short a more user friendly/safer community.

Fortunately, geography and topography offer some exciting opportunities. Absent some beneficiary developer or consortium like James Rouse, who envisioned Columbia, Maryland (it can be googled), I like the idea of offering bonuses/incentives to potential developers, especially if they can combine forces/visions/resources to come as close as feasible to the collective visions presented in the ABAP. Perhaps tax abatements could be considered to entice collective developments. An example could be the strip of land on the uphill side of Glacier Hwy from the roundabout to the Auke Bay Lab corner. Behind angle parking, a connected line of retail shops (bakery, restaurants, coffee shops, bookstore, etc.) with 2-5 story condominiums/apartments above with property owners parking behind, could be developed. With a little tree cutting on the waterside of Glacier Hwy, all those residents could have an

unobstructed view of sunsets over Auke Bay. If developers from the roundabout to Seaview could combine forces, a better blended completion of parts of the ABAP's vision in that area could occur, including connected side streets.

Real estate folks like to tout location, location, location and view, view, view in offering properties. With careful planning and developer coordination, preservation of most public, as well as private views, of Auke Bay could/should occur. For instance, with good developer coordination condos in Auke Bay Station could have guaranteed views protected from interference from the potential Jetty development.

Public Parking

Beyond roadside and business parking, an uphill area needs to be designated for a future parking garage. With careful planning it could incorporate a public space and/or private business with views, like the redeeming feature of the library on top of the downtown parking garage.

Sea Walk

As envisioned in the DOT study, a sea walk from the Auke Bay boat harbor to the ferry terminal should be kept in mind for designation. Variations of this are presented in Appendix B – Capital Improvements List in the ABAP.

Businesses

A good waterfront seafood restaurant and a small neighborhood convenience store (kind of a DeHarts on steroids) could be very profitable and enjoyable future options.

Conclusion

Keep up the good work! People (residents and visitors) 20, 50, 100 years and beyond will be thankful for your vision and tenacity. The Auke Bay area can be an even more wonderful place to live, visit and enjoy, especially for a growing UAS so close by.

Bruce Conant

6/25/2019

41 year resident of the Auke Bay Community

March 17, 2020

CBJ Planning Commission

155 S. Seward St. Juneau, AK. 99801

My wife and I am writing to strongly object to the inclusion of Tanner Terrace subdivision in the Neighborhood Commercial “buffer zone” as laid out in the Auke Bay Area Plan (ABAP) and Auke Bay Overlay District.

As someone that has lived in the Tanner Terrace subdivision more than twenty five years, and transited the area for over 50 years having lived in Lena Cove before that, I am having difficulty seeing the need for the seemingly aggressive planning changes proposed for Auke Bay. The glacier has changed more than Auke Bay in that time span.

As a local businessperson for several decades, I’ve had an interest in viable commercial real estate for years. The ABAP plans for ground floor businesses and housing above. However, given the competition from “big box” retailers within a ten to fifteen-minute drive of Auke Bay, the reality of retail success in Auke Bay is extremely limited. This is borne out by the lack of retail in Auke Bay in the past. Throw in competition from the internet and the propensity for our younger future shoppers to order and have their goods delivered to their door, and retail in Auke Bay doesn’t get any easier, or likely to succeed. The development envisioned can and does happen no doubt, but this is in markets that have several hundred thousand people or more in the area to draw from.

Now I may not be a planning professional, but any plan that takes an existing neighborhood and changes the rules it was developed under, has lived under for decades, and has been bought and sold under is a bad plan. I’m sorry, but the Planning Department isn’t starting out with a blank sheet of paper or a couple hundred acres of farmland that is going to be a brand-new development. Auke Bay is unique and charming and has existing infrastructure to consider. And to then exclude neighborhoods to the north and east, closer to the Auke Bay town center, from the Neighborhood Commercial Zoning? Interesting.

Regards, Ron and Julie Flint, 12070 Cross St., Juneau, Ak. 99801

From: [Ann Doty](#)
To: [Allison Eddins](#)
Subject: Tanner Terrace rezone proposal
Date: Monday, March 16, 2020 10:14:25 AM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

We are headed back to Juneau from Belize today! We agree with the neighborhood protest letter and have attached one with our signature. Let us know what else we might need to do!

Thank you!

J. Alan and Ann Doty
3866 Seaview Ave, Juneau, AK 99801

☐ Tanner Terrace Protest Statement.pdf

Tanner Terrace Property Owners Association 12020 Cross Street
Juneau, AK 99801

Members,

CBJ Planning Commission Community Development Department City and Borough of Juneau
155 S. Seward Street

Juneau, Alaska 99801

March 14, 2020

Dear Commissioners,

We, the homeowners of the Tanner Terrace subdivision, protest the Auke Bay Ad Hoc Committee and the Community Development Department's inclusion of Tanner Terrace in the proposed Neighborhood Commercial ("NC") zoning area. This designation will ultimately destroy a mature, view property neighborhood by urbanizing it. We will not be able to sell our homes to other single family buyers because declaring our properties "non-conforming" to the NC code will affect the cooperation of mortgage lenders to finance potential buyers. Over time, as our single family home lots are subdivided into mixed use units with no yards and at least three residences per lot with commercial first floor businesses, our views and property values will be destroyed.

Note that we have no objection to making the Auke Bay "Traditional Town Center" area near the roundabout into the mixed use, walkable village described in the Auke Bay Plan.

However, we don't understand why our neighborhood is being sacrificed when other neighborhoods, such as Lee Drive and Caroline Street, that are closer to the Traditional Town Center will be able to remain intact.

Sincerely,

John Alan Doty

Ann Signaigo Doty 3866 Seaview Avenue Juneau, AK 99801

907-321-1523 Jnudoty@gmail.com

--

Alan and Ann Doty

Searching for new adventures!

From: [Margaret Cowan](#)
To: [Allison Eddins](#)
Subject: Spaulding Meadows Road
Date: Saturday, May 4, 2019 10:10:39 PM

Dear Ms. Eddins:

I heard that in planning for Auke Bay there is consideration of a road to Spaulding Meadows. I cherish hiking and skiing to Spaulding Meadows and do not support a road as it would detract from the natural features. This is a trail that is beautiful and accessible to families. I'm in my late 60's and enjoy it and I accompanied a second grade class there last year. There are few other trails for such a broad range of us to reach alpine in the Auke Bay area and not many that are as easy in all of Juneau.

Though I cannot think of a positive outcome for a road, I'd like to reach the rationale. Can you give me a link to the planning document where this is considered an option?

Thank you for your willingness to consider public input.

Sincerely,

Margaret Cowan

Mark Schwan and Debi Ballam
12090 Cross Street
Juneau, AK 99801

March 18, 2020

CBJ Planning Commission Members
Community Development Department
City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801

Dear Commissioners,

We are opposed to the inclusion of the Tanner Terrace neighborhood in the new, proposed Neighborhood Commercial (NC) zone in the Auke Bay area. We do not understand the need, nor how the permissible uses being proposed for the NC zone are accurate to the original concept described in the Auke Bay Area Plan (ABP).

On page vii in the Introduction of the ABP, it states: “Auke Bay **boasts** a rich mixture of densities that can accommodate many housing needs, from detached homes to condominium.” We know the steering committee members who worked on the early stages of the plan would not support the elimination of our single-family residences, but that is what a designation of NC would do over time.

Our neighborhood is a small area compared to the vacant city-owned land behind the Auke Bay center. If no new single-family residences will be allowed on any of that land, why is there not a place for us in the Auke Bay area? Single-family residences are an attribute.

There was early support from members on the planning commission to maintain our neighborhood for single-family residences, what happened? We cannot find anything in the published minutes of meetings or through conversations of other residents who attended meetings to explain this. All we know is that the boundary lines were changed between the July 11 and July 24, 2019 ad hoc committee meetings.

There was much discussion during the July 24, 2019 meeting, which I (Mark) attended, regarding the inclusion of the University property and Lee Street and Court in the new NC zone. When commissioners suggested including Lee Court, a city planner expressed caution, reminding them that in the earlier planning stages residents there wanted their neighborhood to remain in a residential zone. The commissioners deferred, and one looked at the aerial view of Auke Bay on the screen, pointed over toward Tanner Terrace, and said those people over there just need to join the future. This was extremely disappointing, and makes the inclusion of our neighborhood seem arbitrary or just a callous action to force conformity.

Our homes are older but well maintained. We have been told many times from various people that ours is one of the nicest neighborhoods in Juneau. If our house is deemed non-conforming in the new NC zone, this will present a substantial risk to the equity in our home, and would be an economic disaster for us.

We appreciate the planning commissioners’ and city planners’ work to construct a matrix for implementing the Auke Bay Plan. However, there is nothing in the Auke Bay Plan that recommends the sunsetting of traditional single-family residences. Thank you for the opportunity to comment.

Sincerely,

Mark Schwan and Debi Ballam

From: [Karen Forrest](#)
To: [Allison Eddins](#)
Subject: Re: Zoning map
Date: Wednesday, March 11, 2020 3:47:51 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Allison,

The proposed overlay zoning area does not comport to to Auke Bay Area Plan and Auke Bay Center boundaries; it extends beyond the Auke Bay Center on the out-the-road side and I think that is unacceptable given all the work that went into the developing the boundaries in the Auke Bay Plan. I am concerned about not following the plan without a seriously good and clear reason. As a property owner in Auke Bay, this is of concern to me.

Sincerely,
Karen Forrest

Sent from my iPhone

On Mar 10, 2020, at 1:17 PM, Allison Eddins <Allison.Eddins@juneau.org> wrote:

Allison Eddins | Planner II

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0758

<image001.png>

<Auke Bay proposed zoning boundaries.PNG>

From: [JoAnn Quigg](#)
To: [Allison Eddins](#)
Subject: RE: Tanner Terrace Re-zoning
Date: Monday, November 9, 2020 2:42:44 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Thank you for responding. So good to hear Spaulding Trail will remain!

Yes. I am related to Jerry Quigg. They are doing fine, just a little tired of hanging about the house...

He said he gave his copy to one of the neighbors, so yes, please, I would like another copy. Just let me know when you have it printed and I will run over there and grab it. Thank you so much!

JQ

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Monday, November 09, 2020 2:21 PM
To: 'JoAnn Quigg' <jquigg@wileng.net>
Subject: RE: Tanner Terrace Re-zoning

Hi Joann,

Please let me clarify – the city is NOT planning to do anything to the Spaulding Trail. That is an unfortunate rumor that started in April 2019.

The city is proposing to implement the Auke Bay Area Plan with two new zoning districts. Tanner Terrace is currently in the proposed boundary for one of the new zoning districts. Are you related to Jerry Quigg?. He attended most of our meetings and is very familiar with what we are proposing. He had a hard copy of the proposal back in March. How is he doing? Well, I hope.

The permit center is currently closed to the public. I can print you a copy and leave it by the elevator if you like. Just let me know.

Allison

From: JoAnn Quigg <jquigg@wileng.net>
Sent: Monday, November 9, 2020 1:00 PM
To: Allison Eddins <Allison.Eddins@juneau.org>
Subject: Tanner Terrace Re-zoning

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hello,

I have heard that there is a proposal to convert the beginning of Spaulding Trail to a road and to re-zone the Tanner Terrace neighborhood.

Could you please supply me with a hard copy of the documents related to this proposal?

I work downtown and could swing by the Marineview Center to pick them up.

Thank you.

JoAnn Quigg

From: [Lisa Greenough](#)
To: [Allison Eddins](#)
Subject: Re: CORRECTION - RE: Auke Bay Update
Date: Tuesday, February 4, 2020 11:02:07 PM
Attachments: [image001.png](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear CBJ Planning Dept, assembly and committee members,

I'm concerned about and object to the proposed up-zoning of Auke Bay for several reasons:

1. I believe the point system that is being proposed is subjective and overly complicated. It promotes 4-5 story buildings by stating if developers include a bench's, bike racks and planters etc. for which they get points then they can use them to get permits for more floors. The city should use zoning to promote new construction in the character of a northern fishing, retirement and educational village. The desired building features should not have points attributed to them - they should simply be required for all new construction in the Auke Bay community not be attained by developers trying to "game" the zoning regs. New construction should be limited to one or two stories so we never have the hemmed in effect we experience in downtown South Franklin.
2. I disagree with the low %'s mandated for vegetation coverage in the proposed re-zone. If a water-front property owner wants to keep most of his or her land in a garden or natural state the city should not compel an owner who seeks a new construction permit to only leave 5% of the property in a landscaping etc. These low percentages to my mind force the developer to max out or over build a lot and leave little room for open spaces in Auke Bay.
3. The elimination of drive thru parking and zoning which compels construction to the street challenges the elderly, disabled or injured citizen who might have limited mobility. Some handicapped parking and loading in front of a restaurant or business would be desired by most Auke Bay families and I don't believe there is any logical reason to re- zone to prevent this public benefit.
4. The Master plan for Auke Bay which this re-zoning proposal is based on is stale and deficient. It was done in 2014 and passed by the Assembly in the spring of 2015 and is basically 6 years old. The Master plan does not consider recent material changes that will impact our community -the transfer to the city of the NOAA dock and the cities 2019's settlement with the cruise industry which concluded with an agreement stating the city could use 12 million in head tax fees to dredge and further fill the harbor to better facilitate cruise industry activities. Tourism has rapidly intensified in Auke Bay and yet it is barely mentioned in the 100 plus page document. I believe in order to make the right zoning changes for Auke Bay the master plan should be amended to include consideration of tourism in Auke Bay with a section devoted to the subject instead of two sentences about whale watching. The community of Auke Bay needs to weigh in on the type and scale of tourism and what changes need to be made to our zoning regulations to correctly support it.

Sincerely,
Lisa Greenough

On Mon, Jan 27, 2020 at 3:24 PM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Correction – The meeting will be **Thursday, February 6th**. My apologizes for any confusion.

-

From: Allison Eddins <Allison.Eddins@juneau.org>

Sent: Monday, January 27, 2020 2:52 PM

To: Allison Eddins <Allison.Eddins@juneau.org>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Jill Maclean <Jill.Maclean@juneau.org>

Subject: Auke Bay Update - February 6th Planning Commission Ad Hoc Meeting in Auke Bay

-

Good Afternoon,

You are receiving this email because you have expressed interested in the proposed re-zone and overly district in the Auke Bay “center” or because you have attended a 2019 neighborhood meeting on the topic. I know it has been a while since our last meeting but we now have a draft ordinance for two new zoning district and an Auke Bay Overlay District.

The Auke Bay Ad Hoc Committee will hold a meeting Wednesday, February 6th at 6pm in the UAS Rec Center. They will review the draft ordinance and boundary map that are attached. These are public meetings and you are welcome and encouraged to attend, however these are working meetings, and no public comment will be taken during the meeting. I encourage you to submit written comments to me by Tuesday, February 4th. I have received one additional comments since the last Ad Hoc meeting in July. That is attached as well. Please review the documents and let me know if you have any questions. After the meeting on February 6th I will send a follow up email detailing decisions that were made at the meeting and outline the next steps in the public process.

All the best,

Allison

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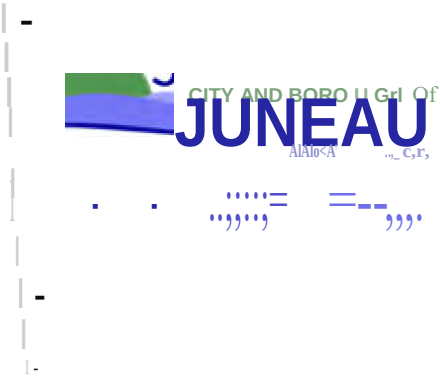
-

Allison Eddins | Planner II

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0758



November 9, 2020

To: City and Borough of Juneau Planning Commission

I am writing to you as a potentially affected citizen to express my concerns regarding AME2020-001 & AME2015-0010.

My name is Andy Meiners. My wife Amy Jo and I live at 12110 Cross St and have for the last 20 years. Cross St is in Tanner Terrace (TT). I have maintained a professional office in Auke Bay for the last 16 years.

I urge you to reconsider the inclusion of TT in the Neighborhood Commercial zoning proposal. Like many of you, our homes are the single largest investment we have or ever will have. It is the asset for which we place the most importance in providing for our families and our current and future well-being. Our home and the equity that Amy Jo and I have built over the last 20 years is under attack by the proposed AME2020-001.

I hope that you would consider a few points about how AME2020-001 would be detrimental to Auke Bay.

1. Neighborhood Commercial (NC) will needlessly create non-conforming single-family homes and cause any future residential development to stagnate.
2. The Auke Bay Plan has a fundamental flaw in that it is predicated on growth.
3. The public process was, and is again, poorly handled.

Neighborhood Commercial

Although the Assembly recently passed amendments to Title 49 of the land use code, it does not cure the fact that AME2020-01 creates non-conforming single-family homes. The introduction of the recently passed ordinance states: *"This ordinance should make buying and selling in most nonconforming residential developments easier while protecting the community from harmful nonconforming developments."* This could not be further from the truth. The fact is the Assembly does not and cannot control private lending practices in this community. AME2010-01 is harmful in that it needlessly creates non-conformity. Additionally, and more significantly, making this change would not only negatively affect the present and future value of my home, it will impact my insurance rates because insuring property in a commercial use area is more expensive than that of residential. I object to you taking control of my private property based on assumptions made by the planning staff. I cannot stand by and leave the future of my largest investment in the hands of the planning committee.

Auke Bay Plan

The Auke Bay Plan is predicated on a "Vision." When the Vision of the plan was devised, each person who participated formed a picture in their minds of what Auke Bay "could" look like based on some commonly agreed upon parameters. Everyone's vision was loosely similar yet different. Now pen and paper are trying to put the vision into something concrete and it's not working. The public participated by voting using the *design charrettes*. Not one choice in those charrettes included an option to outlaw single family homes. Much of the Vision focused on growth. You may not agree with me, but Auke Bay

is not growing. Sure, there have been new condominium developments and more permitted to be built; however, these developments don't mesh with the Vision of the Plan. In light of the current and foreseeable economic trends, can you really see an additional 90 high-end condominium units being built and sold? You can cite the Forbidden Peaks Brewery as growth, but it's not. The existing building has just found a better use. There has not been a new commercial footprint established in Auke Bay in over 30 years, in fact Auke Bay has lost commercial space when Fishermen's Bend burned to the ground in 2008.

The CBJ Housing Action Plan 10/2015 identifies Juneau's population as stagnant and projects the population to decline through 2042. Let's face reality, we shouldn't restrict current property owners by planning for growth if it's not happening in our lifetime.

The Plan states "Auke Bay, Auke Lake and the upland wilderness play a cumulative role in giving the Auke Bay community its identity." It could be concluded that the existing urban uses such as retail, restaurants, boat harbors, etc., were built here because of the identity of Auke Bay. The proposal in AME2020-01 does not enhance the identity of Auke Bay, it will destroy it. The potential commercial identity will be altered by restricting the current building codes and by earning the magic points you can earn back what was already their right to do in the first place. At one of the early public meetings someone asked if the point system was implemented in other areas and what was the result. Staff indicated that the point system was used in a couple of metropolitan areas in the lower 48 and had met "limited success." I fail to see the logic of implementing something that met limited success in other areas with larger populations and land masses.

The concept of NC seems valid on the surface, but the logic of implementing it in Auke Bay is heavy handed and literally will serve no purpose other than stifling any ability of the area to grow. The proposed rezoning will alter the identity in a profound way.

Neighborhood Commercial will eliminate single family homes in favor of a *Boat Condo* community. As you know, the city owns property behind TT. By zoning the entire parcel NC, all conforming development would have to have commercial space on the bottom and residential on top. Imagine if you will, 40 or more structures built on that hillside that have some sort of commercial shop on the ground level. That picture seems ludicrous to me. The only thing that NC will do is cause more work for future planning commissions to approve conditional use permits because no one will be able to build an economically viable project in the proposed NC zone.

Public Process

In the presentations you have seen, staff does a nice job pointing out that this has been a transparent community-driven process and that AME2020-01 is a result of the public process. This is not a completely true characterization of the process. What is true: several years ago, there was a public process and one of the overriding themes was the preservation of neighborhoods. Early in the planning process, the Auke Bay Steering Committee's conclusion was that TT was to be excluded from the designated concept of NC. We thought that was the end of it and the public participation input was honored. Unfortunately, once the public planning process was over, TT was encompassed into the proposed NC against the recommendations. The neighbors of TT attended many of the 17 public meetings since and have submitted written opposition and when given the opportunity, vocal opposition

to this. Staff's response is that they *"are not married to the boundary lines as drawn."* Yet, the lines never decrease, but keep expanding. Once the new zones were proposed, I am not aware of a single public comment being incorporated or shown to have any influence upon the planning staff. It appears we have been ignored. My only conclusion is that TT is being steamrolled into a nonconforming neighborhood that will have lasting negative impacts.

The only remaining public process afforded us now are written comments to you and 3 minutes of oral presentation. This hardly rates as meaningful public participation. I urge you to reconsider the results of the original Auke Bay Steering Committee input and retain the character of the residential neighborhoods in Auke Bay.

A handwritten signature in cursive script, appearing to read "Andy Mer". The signature is written in dark ink and is positioned in the lower-left quadrant of the page.

Rick and Lisa Currier
12020 Cross Street
Juneau, Alaska 99801

CBJ Planning Commission
% Ms. Addison Eddins
Community Development Department
City and Borough of Juneau
230 Franklin Street,
4th Floor, Marine View Building
Juneau, Alaska 99801

January 29, 2020

Dear Members of the Planning Commission:

We would like to submit comments regarding the draft ordinance that proposes the “NC” neighborhood commercial zoning district at Auke Bay.

We reside in the Tanner Terrace neighborhood in Auke Bay. We, and most of our neighbors, have followed the development of this ordinance and have submitted both oral and written comments. We, and our neighbors, have attended most of the meetings of the Ad Hoc Committee to develop a new zoning definition for the Auke Bay area. We participated in the process, but we are disappointed in the results.

Over the course of several years and many, many meetings, the dominant sentiment expressed by members of the public in both written and oral testimony, has been concern about increasing housing density and introducing commercial activities beyond the Auke Bay core area consisting of the old Horton’s Hardware and DeHart’s buildings. Most people who testified wanted single family homes that wouldn’t disturb upslope views.

It seems that all of that testimony and written comment has been ignored. We are VERY concerned that the new NC zone includes the Tanner Terrace neighborhood as well as several lots to the West. The latest overlay zoning map seems to have arbitrarily moved the commercial/high density boundary over, behind, and beyond our mature single family neighborhood. These changes will destroy the residential character of our neighborhood as well as impact our Auke Bay water views, for which we paid a premium when we purchased our properties.

Note that when CBJ paved our neighborhood streets several years ago, they installed narrow lane widths that do not support bike lanes or on-street parking, and sidewalks are only one side of the street. The neighborhood cannot support increased density or commercial development.

Our water views are important to us. We appreciate that the Planning Commission and Community Development Department have modified the policy for preserving view planes to include private property owners as well as public views. We have testified that water views are not strictly downslope or directly in front of upslope property. Our view of Statter Harbor is to the East of our house. High rise structures on the Auke Bay Bible Church property will adversely affect our views of the harbor. We are concerned that the developer bonuses in the NC zoning area will incentivize multistory buildings that could eliminate our views.

Further, we do not understand how the Lee Drive neighborhood, which already has high density housing, is outside the NC zone, while Tanner Terrace, a single family residential neighborhood, was suddenly moved to inside the NC zone.

While we appreciate all of the hard work of the Ad Hoc Committee members, we are at loss to understand why our comments, testimony, and that of our neighbors, has been ignored in the drawing of the NC zone overlay district.

Regards,

Rick and Lisa Currier

March 16, 2020

City & Borough of Juneau Planning Commission
155 S. Seward Street, Juneau, Alaska 99801

Dear Members of the CBJ Planning Commission,

In 2018, the CBJ Planning Commission and CBJ Assembly denied a proposed zone change by Douglas Island Development LLC to change the properties located at 11950 Glacier Highway, 11998 Glacier Highway, 12020 Glacier Highway and 3853 Bayview Avenue from D10 (residential) to light commercial (LC).

When the zone request came before the planning commission and assembly in 2018 the respective bodies understood that this contradicted the Auke Bay Area Plan that was adopted by the CBJ Assembly March 16, 2015. Page 61 of the Auke Bay Area Plan illustrates the maximum allowable heights for Auke Bay. In this plan, the Tanner Terrace neighborhood is clearly shaded as such to conform to a maximum height of 35 feet.

All that has changed since 2018 is a forced reinterpretation of the Auke Bay Area Plan by the Auke Bay Ad Hoc committee, CBJ planners and a persistence to ignore the facts and concerns brought forth by the other owners and neighbors of Tanner Terrace.

At the March 10 CBJ Planning Committee of the Whole meeting, CBJ planning staff presented the Neighborhood Commercial zone change as a solution to a fictitious problem. Never once did the CBJ planners highlight the areas of success, established history that should be preserved and/or emphasized in the Auke Bay district. Instead, the planners have fixated on two details: urban density and commercial development. In reality, the existing zoning in Auke Bay already allow for both of these so called problems to be solved as there is substantial undeveloped commercial land in Auke Bay that should be given time to develop into the desires addressed by the Auke Bay Area Plan.

The zone change boundaries as recommended by the Auke Bay Ad Hoc committee and the CBJ planning staff are not justified in any way and are instead arbitrarily drawn to solve a forced problem, that, once again, does not exist.

As a rebuttal, CBJ planning staff have justified the zone change due to a request by property owners – all the while ignoring the opposition by neighboring property owners who actually live in the Auke Bay district. The primary lots seeking this zone change are located along Glacier Highway at the entrance to the Tanner Terrace neighborhood. All other properties in the neighborhood currently have views of Auke Bay that look through, over or beside the existing buildings on the four properties in question. Adding ten feet to the height of the existing buildings would greatly reduce and negatively affect the views that have been long established by the property owners association of Tanner Terrace.

The proposal to create a new type of zoning designation that would experiment with a long-standing Juneau neighborhood also contradicts the Auke Bay Area Plan. Changing Tanner Terrace to the new, untested “Neighborhood Commercial” zoning designation would allow for increased heights via bonus points by future developers.

This is concerning because the adopted Auke Bay Area Plan states that, “Protecting scenic vistas and viewpoints from the effects of haphazard development can allow the Auke Bay area and community to preserve its unique charm, civic pride, and attract positive growth to the area. Preserving key viewpoints can lead to many benefits such as higher property values, strengthening tourism, and contributing to the overall enjoyment of the area. Consideration for building orientation and height is needed to maintain important views.”

The Auke Bay Area Plan identifies nine key viewpoints. The first identified view point is “Looking toward Auke Bay from the intersection of Bayview and Glacier Highway.” This view point is exactly in the location where Douglas Island Development LLC has requested the zone change and has expressed the desire for future development. Future commercial development in the Tanner Terrace neighborhood will contradict the intent established by the CBJ Assembly when the Auke Bay Area Plan was adopted.

Additionally, the new zoning proposal would in fact destroy the established Tanner Terrace neighborhood. This would also contradict the above statement quoted from the Auke Bay Area Plan in that the elimination of the neighborhood would not “preserve its unique charm” or “civic pride.”

The Auke Bay Area Plan took a community to create. It would be shameful to push through an alternative agenda that clearly does not meet the intentions of those who spent their time providing valuable input for the future of Auke Bay.

It is my expectation that the CBJ Planning Commission will either deny entirely or redraw the proposed zone change as supported by numerous neighboring property owners of Tanner Terrace. Thank you for considering the facts presented.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Woodrow', with a long horizontal flourish extending to the right.

Jeremy Woodrow
3875 Seaview Avenue
Juneau, Alaska 99801

March 17, 2020

Andrew J. Meiners
12110 Cross St.
Juneau, AK 99801

To: City and Borough of Juneau Planning Commission

I am writing to you as a potentially affected citizen to express my concerns regarding AME2020-001 & AME2015-0010.

My name is Andy Meiners. My wife Amy Jo and I live at 12110 Cross St and have for the last 20 years. Cross St is in Tanner Terrace (TT). I have maintained a professional office in Auke Bay for the last 16 years.

I urge you to reconsider the inclusion of TT in the Neighborhood Commercial zoning proposal. Like many of you, our homes are the single largest investment we have or ever will have. It is the asset for which we place the most importance in providing for our families and our current and future well-being. Our home and the equity that Amy Jo and I have built over the last 20 years is under attack by the proposed AME2020-001.

I hope that you would consider a few points about how AME2020-001 would be detrimental to Auke Bay.

1. Neighborhood Commercial (NC) will needlessly create non-conforming single-family homes
2. The Auke Bay Plan has a fundamental flaw in that it is predicated on growth.
3. The public process was, and is again, poorly handled.

Neighborhood Commercial

Although the Assembly recently passed amendments to Title 49 of the land use code, it does not cure the fact that AME2020-01 creates non-conforming single-family homes. The introduction of the recently passed ordinance states: *"This ordinance should make buying and selling most nonconforming residential developments easier while protecting the community from harmful nonconforming developments."* This could not be further from the truth. The fact is the Assembly does not and cannot control private lending practices in this community. AME2010-01 is harmful in that it needlessly creates non-conformity. Additionally, and more significantly, making this change would not only negatively affect the present and future value of my home, it will impact my insurance rates because insuring property in a commercial use area is more expensive than that of residential. I object to you taking control of my private property based on assumptions made by the planning staff. I cannot stand by and leave the future of my largest investment in the hands of the planning committee.

Auke Bay Plan

The Auke Bay Plan is predicated on a "Vision." When the Vision of the plan was devised, each person who participated formed a picture in their minds of what Auke Bay "could" look like based on some commonly agreed upon parameters. Everyone's vision was loosely similar yet different. Now pen and

paper are trying to put the vision into something concrete and it's not working. The public participated by voting using the *design charrettes*. Not one choice in those charrettes included an option to outlaw single family homes. Much of the Vision focused on growth. You may not agree with me, but Auke Bay is not growing. Sure, there have been new condominium developments and more permitted to be built; however, these developments don't mesh with the Vision of the Plan. In light of the current and foreseeable economic trends, can you really see an additional 90 high-end condominium units being built and sold? You can cite the Forbidden Peaks Brewery as growth, but it's not. The existing building has just found a better use. There has not been a new commercial footprint established in Auke Bay in over 30 years, in fact Auke Bay has lost commercial space when Fishermen's Bend burned to the ground in 2008.

The CBJ Housing Action Plan 10/2015 identifies Juneau's population as stagnant and projects the population to decline through 2042. Let's face reality, we shouldn't restrict current property owners by planning for growth if it's not happening in our lifetime.

The Plan states "Auke Bay, Auke Lake and the upland wilderness play a cumulative role in giving the Auke Bay community its identity. It could be concluded that the existing urban uses such as retail, restaurants, boat harbors, etc., were built here because of the identity of Auke Bay. The proposed AME2020-01 does not enhance the identity of Auke Bay, it will destroy it. The potential commercial identity will be altered by restricting the current building codes and by earning the magic points you can earn back what was already their right to do in the first place. At one of the early public meetings someone asked if the point system was implemented in other areas and what was the result. Staff indicated that the point system was used in a couple of metropolitan areas in the lower 48 and had met "limited success." I fail to see the logic of implementing something that met limited success in other areas with larger populations and land masses.

The concept of NC seems valid on the surface, but the logic of implementing it in Auke Bay is heavy handed and literally will serve no purpose other than stifling any ability of the area. The proposed rezoning will alter the identity in a profound way. Neighborhood Commercial will eliminate single family homes in favor of a *Boat Condo* community.

Public Process

In the presentations you have seen, staff does a nice job pointing out that this has been a transparent community-driven process and that AME2020-01 is a result of the public process. This is not a completely true characterization of the process. What is true: several years ago there was a public process and one of the overriding themes was the preservation of neighborhoods. Early in the planning process, the Auke Bay Steering Committee's conclusion was that TT was to be excluded from the designated concept of NC. We thought that was the end of it and the public participation input was honored. Unfortunately, once the public planning process was over, TT was encompassed into the proposed NC against the recommendations. The neighbors of TT attended many of the 17 public meetings since and have submitted written opposition and when given the opportunity, vocal opposition to this. Staff's response is that they "*are not married to the boundary lines as drawn.*" Yet, the lines never decrease, but keep expanding. Once the new zones were proposed, I am not aware of a single public comment being incorporated or shown any influence upon the planning staff. It appears

we have been ignored. My only conclusion is that TT is being steamrolled into a nonconforming neighborhood that will have lasting negative impacts.

The only remaining public process afforded us now are written comments to you and 3 minutes of oral presentation. This hardly rates as meaningful public participation. I urge you to reconsider the results of the original Auke Bay Steering Committee input and retain the residential neighborhood.

A handwritten signature in black ink, reading "Andy Meunier". The signature is fluid and cursive, with a large loop at the end of the last name.

Monday, March 16, 2020

City & Borough of Juneau Planning Commission
155 S. Seward St., Juneau, Alaska. 99801

Dear Members of the CBJ Planning Commission:

My Husband and I are the newest homeowners in Tanner Terrace. We searched for over 8 months looking for an area of Juneau that we wanted to live in and finally chose Tanner Terrace because it is a small, mature, single family neighborhood with views of Auke Bay.

Unfortunately the very reasons why we chose this neighborhood are now being threatened by the CBJ's Planning Committee and staff.

The argument seems to center around a conception of what Auke Bay is meant to look like 10, 20, 30 years down the road and since this seems to be an underlying premise for the multi family designation I thought that I would point out a few stats which are easily available through any web search.

No matter what chart or graph you access whether it be JEDC, ADOL or Raincoast Data they all show Juneau to have an anticipated continual decline in population through 2040.

Raincoast Data's September 2018 report stated that "dramatic cuts reduced state sector employment by 15% since 2012 resulting in a loss of 850 jobs which, translated to an estimated \$50 Million annual loss in wages. Three quarters of state employment decline has been in Juneau."

While tourism continues to grow (presumably will after this latest crisis) it does not provide year round employment or necessarily an increase in home/condo/apartment occupancy.

I do not believe in a if you build it they will come philosophy.....

Jack & I stand united with our neighbors in fighting against the changes to Tanner Terrace that the Planning Commission and staff are proposing.

Thank you for your time and efforts in this matter.

Sincerely,

Vicki Van Fleet & Jack Gitchell

Attachment D - Public Comments

March 17, 2020

City & Borough of Juneau Planning Commission

155 S. Seward St. Juneau, Alaska 99801

Dear Members of the CBJ Planning Commission,

Thank you for the opportunity to comment on the proposed zone change to Tanner Terrace.

We take great pride in all the areas of our community in Juneau and in the interest in planning that will complement the beautiful place that we all live. Efforts to plan for maintaining this goal for the Tanner Terrace neighborhood have been in development for years and taken considerable time and input from neighbors in the Auke Bay area.

This most recent plan to change designation in the Tanner Terrace area is of great concern as it does not seem to meet the goal. Has there been a precedent in Juneau to changing an existing residential neighborhood to a non-conforming neighborhood zone? If so, where? And how has that turned out?

We urge you to deny entirely or redraw the proposed zone change to the Tanner Terrace area to compliment the original goal.

Sincerely,

Andi and Mike Story

12069 Cross Street

Juneau, AK 99801

907 723 - 4198

Allison Eddins

From: Marcia Donnelly <marciadonnelly@hotmail.com>
Sent: Thursday, January 10, 2019 2:12 PM
To: Allison Eddins
Subject: Re: Auke Bay Neighborhood Meeting - January 16th

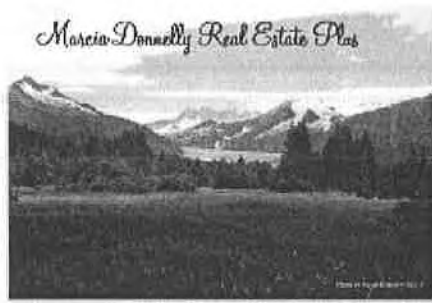
Hi Allison,

I was at the last get together to discuss Auke Bay. Thank you for your recent correspondence. I wanted to share some ideas with you and the Borough.

1. Not everyone in Auke Bay is looking forward to expanding. It appears to me that the majority of homeowners are not in favor of expansion. We selected this location because of the lack of traffic and the quiet setting. Was the zoning change voted on. Even if it was, the amount of time that has passed does not take into consideration there are new homeowners and new safety issues in the affected area already.
2. I feel that this expansion is putting the cart before the horse. We currently have a dangerous intersection at the road and the entrance to Spaulding Beach Condos. There is a school along this road. ANY expansion will affect traffic and safety. The current and future road hazards should be addressed and changes completed prior to any approvals to expand. I think what is being proposed cannot accommodate a one lane highway.
3. One long time business owner is selling their property because of all the interruptions and decline in business they have already incurred. We only have the One road from "out the road" to Auke Bay. The population is minimal. What is being proposed will change the entire color of our end of Juneau.
4. Another huge concern for me is waste water. As I understand it, there is not a sewer system and there has not been any intent to install one at the subject location. Expansion should not be done until this concern is addressed and sewer systems installed. In the past, as a homeowner at 3105 National Park Service Road, the condominiums have incurred over \$40,000 in damage to maintain our waste water system due to boats from the new dock and fish plant breaking our pipes. We are only 24 units....

Please slow down and do the prep work necessary to make/keep our special location safe and peaceful.

Thank you for your consideration.



Marcia Donnelly, Broker, Mobile Notary
Marcia Donnelly Real Estate Plus
3105 National Park Road, B6
Juneau, AK 99801

907-723-9016-cell
Fax/Landline: 907-789-9016
mail to: marciadonnelly@hotmail.com

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Tuesday, January 8, 2019 4:37 PM
To: Allison Eddins; Beth McKibben; Teri Camery; Jill Maclean
Subject: Auke Bay Neighborhood Meeting - January 16th

Good Afternoon,

I hope everyone had a wonderful holiday and you're all staying warm tonight. As you know, a sub-committee of the Planning Commission has been working with Community Development to draft new zoning regulations for Auke Bay. At the last neighborhood meeting in December I presented the proposed regulations. I realize now that it would be helpful to have a discussion about the existing zoning in Auke Bay. Specifically, what it allows, what it doesn't allow and how the proposed zoning differs from the existing zoning. The Auke Bay Neighborhood Association is hosting a meeting on **January 16th at the UAS Rec. Center at 7pm in Room 116** and they have been kind enough to let me present. Postcard invitations are being mailed out tomorrow. Here is a link to the [Auke Bay Area Plan](#). Attached are the proposed new zoning regulations and the December 6th presentation slides. If you have any questions prior to the meeting please feel free to reach out to me. I hope to see you all on the 16th.

All the best,
Allison

Allison Eddins | Planner II
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0758

Allison Eddins

From: Nell McConahey <spiralalaska@gmail.com>
Sent: Thursday, March 14, 2019 9:23 AM
To: Allison Eddins
Subject: Auke Bay Plan Proposal, comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Allison,

Thank you for your presentation last night. It helped get me up to speed on the current proposal. I would like to share my concerns.

Though I currently live in Indian Cove, I also own a condo at Spaulding Beach and expecting to retire there within a few years. So, that is my perspective.

I think tall and very dense construction on the waterfront would negatively impact the 'views', overall feel of the 'center' and 'the enjoyment of all'. I would like the waterfront to have a 30 unit max density and height restrictions of 35'.

Higher (40) unit possibilities in the properties NOT on the waterfront-- on the land side of Glacier Hwy are acceptable as they would A. be less expensive. B, would still have a view. and C, are less likely to block another properties view (topography helps too).

I still think 50 unit density is excessive and does not promote the 'medium density residential use' stated in the 'purpose' of the ABAP draft.

Utility support is of high concern, especially water and sewer, which have issues now-with no plans to upgrade or options for upgrades currently.

The city should investigate what lenders (FHA, VA, Freddie mac, etc) will currently lend on in regard to mixed use properties before finalizing the proposal. It would be a disservice to all concerned if units will have a hard time getting loans.

I do like the 'bonus' options but think they may be too generous to the developer and not to the community as a whole.

Thank you for your work on this project of behalf of the community.

Nell McConahey

Nell McConahey
Spiral Studio
14183 Otter Way
Juneau AK 99801
907 463 6992
spiralalaska@gmail.com
www.spiralalaska.com

From: [Lisa Greenough](#)
To: [Allison Eddins](#)
Subject: Re: Auke Bay Ad Hoc Committee Meeting tomorrow night at UAS
Date: Wednesday, April 17, 2019 1:07:26 PM
Attachments: [image001.png](#)

Dear Allison and members of the Ad Hoc Committee,

Thank you for sending out the slides of your last presentation. I have also been on the Auke Bay Community web site and the lead slide on that site is one I too have grave concerns about. For those of you who were not able to attend the meeting this slide depicts a proposal to build a collector road up the Spaulding meadow trail and loop over coming down by the fire station. The lower part of this trail is one of the best parts as it is wide and very accessible to all level of hikers- from toddlers to retirees. This trail and its large parking lot is a treasured and widely used recreational asset of our community. On the other side of the slide the city is proposing to build several more roads which would destroy another much loved trail -The Dan Bishop Memorial Trail at Auke school. In preparation for writing this I decided to visit the school and view the trail first hand. According to a staff member named Casey many of the teachers use the trail for science education especially in the spring, some classes go on it several times a year others weekly. I interviewed a parent who was visiting the school and her grandson and just had a week of Discovery Southeast nature science studies held on this trail system. I walked this trail over to the interpretive pad where the students write and discuss what they learning about - which you can see in the photo behind the fire station and trailer park. The trail is in beautiful condition, clearly in active use with a charming entrance and a rope trimmed pathway at the beginning. there is also a new access off to the parking lot side for public use in case school is in session. Both of these trails are extremely important to our Auke Bay community and the community as a whole. A big NO to this idea and thank goodness it is conceptual!

I also have concerns about the traffic data the city left out of their traffic study. There are big holes in the numbers and the estimates are on the low side. There are a large number of residents who drive on a daily basis from all over the Auke Bay, Back Loop and Valley areas as well as other parts of our community to get their mail. I asked the postmaster how many families get their mail at Auke Bay and he told me 250 or more households. Shouldn't we also consider the traffic to Auke Bay School as well as the traffic to UAS- how many staff and students, the Ted Stevens NOAA facility and even Auke Rec? At Auke bay school I counted 48 cars in the parking lot and was told they have a staff of about 45 teachers and admin. I also learned they have about 400 students there and many are driven to school by their parents. I suspect the city is grossly under estimating traffic trips. We and the city need to gather much more information on this matter to make informed decisions.

At the meeting we discussed the roundabout and the terrible accident which occurred there last summer- A three car pileup culminating with a UAS female student being flown to Harborview trauma care with both her legs fractured. I found out today at Auke Bay school from the grandparent I spoke to they are still praying for her at chapel by the Lake and she is not having a successful recovery. The radius of the round-a -bout is too small; there is very little distance between the entrances for a driver to react to a potential crash. In a design flaw DOT failed our community- there are no cross walks either since roundabouts don't have them. The students routinely walk from the University to the Deharts and the Harbor with no safe place to cross Glacier Highway. Traffic in the evening is routinely backed up all the way to Engineers cut off and sometimes to the bridge from folks driving home from work. I would

like to know how many accidents have occurred on Glacier Hwy in the Auke Bay corridor since the study was done in 2013.

We did talk about ice and snow and how the weather effects us 7 months out of the year, but no where in the presentation did the city address my initial concern about zoning changes mandating building up to the sidewalk with no place for a person to park with a injury, disability, mobility issue etc.. to get out of their car and into a business. I recently was in a city in California where some of these planning idea have been built and they have on street parking on state HWY 101. In many instances a drive thru is so convenient and beneficial to business activity. For example the Airport Mini mall by Best Western was vacant and shoddy until it was bought and the new owners painted in diagonal parking lines. Why wouldn't we want our city to have zoning laws which provide for easy, safe and convenient access of its citizens to the services and business they use? Especially in a rainy, icy, slushy, snowy, inclement climate which we have in Southeast. I would like the city to instruct DOT to reopen the drive through at the Auke Bay post office.

In Auke Bay we serve the needs of our kids and seniors first and with that motto everyone else is happy with the results. I oppose the zoning changes. I do not think that rationalizing them by explaining that the current zoning allows for some of the new proposed development is any basis for making changes, if anything it is argument to keep things the way they are until we have more information.

Sincerely,
Lisa Greenough

On Tue, Apr 16, 2019 at 7:48 AM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Good Morning,

Thank you all for attending the neighborhood meeting last week where we covered access, traffic and parking in Auke Bay. The presentation from that meeting is attached. **The Auke Bay Ad Hoc Committee will meet at UAS Rec Center (Rm 106) at 6pm tomorrow night.** The Committee will discuss what we have heard from you and your neighbors regarding the proposed density and height regulations. Just a reminder, that these committee meetings are work sessions so no public comment will be taken during the meeting. If you would like to provide written comment, please email that to me. Some of you already have and I thank you for that; your comments will be discussed tomorrow night. As always, please feel free to reach out to me if you have any questions.

All the best,

Allison

-

-

[Allison Eddins | Planner II](#)

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0758



December 19, 2018
CBJ Community Development Department
155 S. Steward St.
Juneau, AK 99801

To: The Auke Bay Implementation Committee,

After attending the Auke Bay neighborhood meeting on 12/6/2018, I would like to make a few comments on the proposed zoning district for Auke Bay.

The plan seems to focus on the property owned by Mr. Don Howell, which includes the Squirez building and the land behind it. There is a condominium complex being built behind his property and another one proposed on the town side. His property is basically the only space available for future development that will have follow the guide lines if this rezone proposal is approved. To me, this is asking or expecting a lot from Mr. Howell.

The Squirez building has 8 existing businesses and 8 apartments. It has been there for a many years and the tenants enjoy the location and views. When DOT expanded the road right of way in front of the building a few years ago, what little street parking that was there was eliminated. Before the start of the construction of the new Statter Harbor parking lot, CBJ did not renew the view variance he held over that property since he bought his place in the 1990's. During the landscaping phase of that project, many trees were planted where none existed before. As these trees mature, the views of the harbor, water and territory will be compromised from the highway and the Squirez building, especially in the summer when they are leafed out.

One of the primary reasons to live in the Auke Bay area is the views. Even without waterfront property ownership, you could still enjoy it when driving or walking along the highway. This proposed plan does little to protect the views, other than on a volunteer basis. Docks and Harbors have already shown they don't care about existing views and if they lease land in the new parking lot for development, that attitude will prevail again.

The scoping committee worked long and hard on the proposed Auke Bay plan. At the beginning of the process there were over 20 people participating. By the end only 6 or 7 remained and not much public attendance. I was at a few of those meetings. It seemed to me the focus was on changing the existing appearance of the core area by making future growth follow a different theme. Yes, it is nice to have a vision for a cute community with shops, trails and view points. The reality is that there is hardly any existing land for this and if it does happen, will the primary focus be on the summer tourist industry?

The proposed point system is complicated and will add costs to any project. Chances are who ever plays that game will probably sell out soon after construction completion. It is about the money.

I'm basically happy with the existing looks and feel of the Auke Bay. The core area already is an existing community. Other peoples ideas of what they want it to become should not ignore this fact. The meeting on the 6th had a good turn out of local residents and this committee should listen to what they have to say.

Respectfully,


Mike Allen
PO Box 211122
Auke Bay, AK 99821
907-790-4118

Rick and Lisa Currier
12020 Cross Street
Juneau, AK 99801

October 1, 2018

Dear Members of the Auke Bay Ad Hoc Working Group and Planning Commission:

As the Auke Bay Ad Hoc Working Group enters the finalization process of their draft CMU zoning regulations, we'd like to extend our appreciation for their long hours of meetings, consideration of the concerns of the residents of the Tanner Terrace neighborhood, and the sacrifice of personal time that was required by the members.

We appreciate and wish to emphasize Mr. Voelker's concerns that the boundaries of the CMU be "feathered" so that immediate neighbors are not subjected to dense commercial/residential mixed high density five-story buildings on their side or back property lines. An analogy would be similar to the time I was in row twenty-one on a flight in which the first twenty rows were in the smoking section. I might have as well been in the middle of the smoking section.

The Auke Bay Committer was very concerned about view sheds. Please keep in mind that those view sheds are not just directly in front of existing properties. Our views, as well as our Bayview and Cross Street neighbors, are also diagonal into Statter Harbor Marina. Due to downslope roofs and trees, our water views are more to the Southeast than directly in front of our house. Densely packed buildings on our back and side property lines will obstruct our view and reduce both our property value and quality of life. As real estate professionals are proud to say, it's all about location, location, location. That's why all of us have purchased houses here in Auke Bay.

We've been told that Planning Commission policy is to preserve view sheds for public property. Please keep in mind that residential property owners should have as much right to preserving their views (and resulting property values) as developers have to "improving" downslope or adjacent property.

Thanks you all for your consideration and efforts on behalf of the City and Borough of Juneau.

Regards,

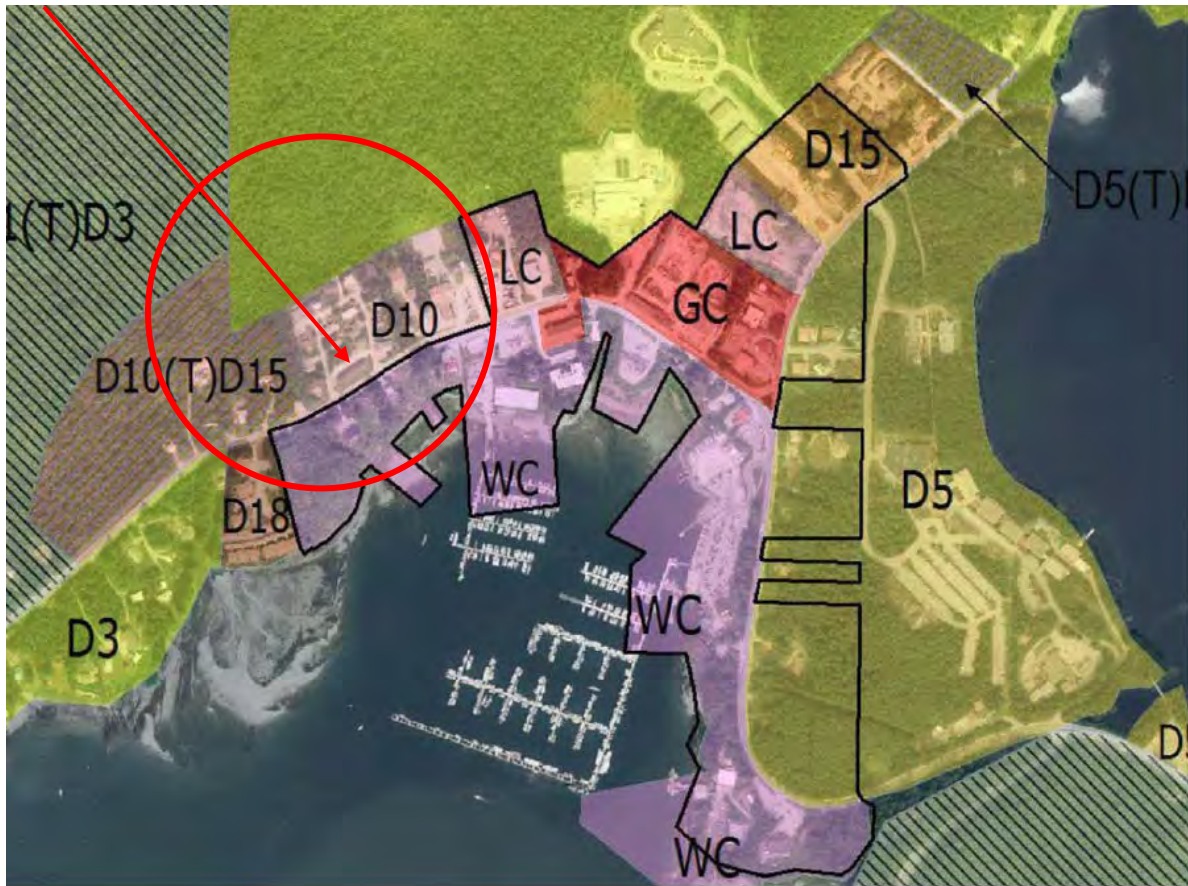
Rick and Lisa Currier

Allison, I would like to continue the previous discussion about the smooth transition of zoning designations within the Auke Bay area, which includes the currently identified Traditional Town Center and the properties directly adjacent.

The CBJ Community Development staff mentioned in previous committee meetings the potential for incorporating a “feathering effect”, in which lower densities would essentially “feather out” from the highest density town center so as to incorporate a smooth transition from higher densities to lower densities. This approach is a standard practice in planning and can be seen in most towns and cities, whereby the densest zoning is found at the town center and zoning is less dense as we move further away from that center.

It appears that this important planning concept has been lost in the discussions about zoning designations and overlay districts for the Auke Bay area. The current proposal recommends that the area identified as “Town Center”, which would have a new overlay district/zoning designation of Community Multi-use, would have an allowable use and zoning to allow densities similar to Light and General Commercial, and adjacent to that a significant drop in zoning to D-10 residential. This does not incorporate any transition and as such would be creating a situation in which there is high density commercial activity directly adjacent to residential, to which I thought the planning commission was opposed.

I would like to bring your attention to two slides presented at the last meeting, which depicts the zoning districts (Slide 1) and also a table of proposed zoning (Slide 2).



As you can see in the diagram, all areas in the Auke Bay Area incorporate transitional zoning concepts with the exception of the area adjacent to the Tanner Terrace subdivision. In fact, the zoning is reduced at my property and then actually INCREASES beyond Tanner Terrace as you travel further north (D10 to D15 transition). This is very concerning to me, and this reflects a lack of attention to planning best practices and perhaps undue influence by the neighbors of Tanner Terrace to not have increased densities adjacent to their homes.

I would like to point out that the table included in the previous power point presentation fails to include zoning designations used in the CBJ that would provide relevant transitions in the Auke Bay Area for the new Uplands Zoning for Auke Bay (UZAB) Density designations.

Zoning District	Maximum Dwelling Units/Acre
D15	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre
UZAB	40 units per acre (Mixed use building – 50 units per acre)

There is a zoning designation between D15 and Light Commercial, and this is not included here. A zoning designation of D18 should be included to be consistent with the CBJ Table of Permissible Uses.

I am respectfully requesting that the Auke Bay Ad Hoc Steering Committee include Tanner Terrace in the town center as identified in the adopted Auke Bay Area Plan and incorporate a seamless transition from Town Center/Community Multi-use to the D10-transition to D15 north of the Tanner Terrace neighborhood, which would reflect consideration of planning best practices and allow me and adjacent property owners to achieve the highest and best use of our properties that have prime road frontage and well situated to be an important addition to the new Auke Bay community the CBJ is seeking to achieve. My property and those adjacent to mine should have a new zoning district of at least D18 in consideration of the proximity to the town center, average daily traffic/road frontage, and potential for contribution to overall goals for infill development.

Best Regards,

Joanne Schmidt
Douglas Island Development
(907) 723-6803

From: [Jerry Schoenberger](#)
To: [Allison Eddins](#)
Subject: Auke Bay School Crosswalk Danger
Date: Monday, June 24, 2019 12:59:51 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Allison:

Thanks for all of the timely notifications about Auke Bay planning meetings. This email is about a different concern. Since all of the roadwork has been completed in our area, I was surprised that the Auke Bay School crosswalk is not signed with lighted signage with lights on the crosswalk that can be switched on at the crosswalk by pedestrians. Many communities have this at school and other public crosswalks. The problem is..... now that the road has been improved, cars are going faster through the Auke Bay area. In addition the speed limit was raised from 35-40mph. Another important safety addition would be a speed light/signage that informs drivers of their current speed and to SLOW DOWN!

I was the school principal at both Glacier Valley and Riverbend School. We always had crossing guards out to be sure kids were safe. The current state of warning drivers to slow down at the crosswalk in front of Auke Bay School is in my opinion woefully inadequate. My wife and I live at Cannery Cove and walk every morning through the Auke Bay area. When we cross that crosswalk I feel like we are taking our life in our own hands. Cars are going 40-50mph through there and the crosswalk is in somewhat of a blind curve. I believe this is a situation the city or state needs to rectify for safety reasons.

Thanks for listening,

Jerry Schoenberger



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Engineering and Public Works

STAFF PERSON/TITLE: Director

DATE: 6.11.21

APPLICANT: City and Borough of Juneau

TYPE OF APPLICATION: Rezone

PROJECT DESCRIPTION:

Proposed re-zone of Auke Bay Center. Areas within the Auke Bay Center that are currently zoned D3, D5, D10, D10 (T) D15 will become Neighborhood Commercial (NC); areas that are currently zoned Light Commercial, General Commercial and D15 will become Mixed Use 3 (MU3). The entire Center will have the Auke Bay Overlay District option.

LEGAL DESCRIPTION: Multiple lots

PARCEL NUMBER(S): Multiple parcels

PHYSICAL ADDRESS: Multiple addresses

SPECIFIC QUESTIONS FROM PLANNER:

1. Density would increase to 15 units per acre with NC and 30 units per acre with MU3. Does CBJ's utility infrastructure have the capacity to handle this increase?
2. The Overlay District, if the developer chooses to use it, could increase density in NC to 30 units per acre and in MU3 to 50 dwelling units per acre. What infrastructure improvements would be necessary to handle this density increase?

AGENCY COMMENTS:

The proposed zoning changes have the potential to increase demand on the local wastewater treatment plant (Auke Bay Wastewater Plant), drinking water system, and storm drainage system. As is the case with any new development, when a new subdivision is proposed that would impact the capabilities of downstream infrastructure, a developer has to plan for and assist in upgrades to the system. Upgrades that may be needed overtime include the following:

- Expansion of the treatment capacity at the Auke Bay plant or rerouting effluent to the Mendenhall Plant
- Increasing the capacity of the municipal drinking water sources, transmission piping and reservoirs,
- Larger drainage collection, conveyance and treatment infrastructure

Because development will likely happen gradually, over time, the likelihood of development overwhelming the existing municipal infrastructure may be somewhat mitigated by scheduled capital investments in the maintenance and upgrades of the existing infrastructure. Nevertheless, in order for CBJ to exercise more control of potential investment in infrastructure upgrades, Engineering and Public Works recommends restricting the overlay district to only non-CBJ property. This would be more realistic and adaptable for the utility and CBJ infrastructure.



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COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CBJ Assessor's Office
STAFF PERSON/TITLE: Mary Hammond, CBJ Assessor
DATE: 6/14/2021
APPLICANT: CBJ
TYPE OF APPLICATION: Rezone proposal

PROJECT DESCRIPTION:

Proposed re-zone of Auke Bay Center. Areas within the Auke Bay Center that are currently zoned D3, D5, D10, D10 (T) D15 will become Neighborhood Commercial (NC); areas that are currently zoned Light Commercial, General Commercial and D15 will become Mixed Use 3 (MU3). The entire Center will have the Auke Bay Overlay District option.

LEGAL DESCRIPTION: Multiple lots
PARCEL NUMBER(S): Multiple parcels
PHYSICAL ADDRESS: Multiple addresses

SPECIFIC QUESTIONS FROM PLANNER:

1. Density would increase to a maximum of 15 units per acre in NC with a minimum density of at least one dwelling unit for commercial properties; density in MU3 would increase to a max of 30 with the same minimum density. How might this impact the value of property within the proposed rezone boundaries?

AGENCY COMMENTS:

Fully developed, these properties will have a higher value than they presently do. The proposed rezone boundaries are unlikely to reduce property values for any of the parcels within the neighborhood.

From: [Bizzarro, Caleb T \(DOT\)](#)
To: [Allison Eddins](#)
Cc: [Heidemann, Marie E \(DOT\)](#); [Schuler, Michael K \(DOT\)](#)
Subject: DOT&PF Comments: CBJ Proposed Rezone of portion of Auke Bay
Date: Tuesday, June 1, 2021 1:01:35 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good afternoon Allison,

After review of CBJ's proposal to rezone a portion of Auke Bay from D3, D10 and D15 to Neighborhood Commercial (NC) and a portion that is currently LC, GC and D15 to Mixed Use 3 (MU3) - DOT&PF SCR has the following comments:

SCR Planning: Planning has no objection to the rezone, and notes that future development could trigger a need for a Traffic Impact Analysis. As stated in comments below, approach roads would need to meet DOT&PF and CBJ standards.

SCR ROW: Any and all points of access be it approach roads or driveways shall conform to [Alaska Highway Preconstruction Manual](#) standards. Provided anticipated traffic generation from these subdivisions is less than 100 vehicles per hour, no Traffic Impact Analysis would need to be performed. It may need to be performed once the nature of the development is known. If anticipated traffic volume is to exceed 100 vehicles per hour, then a Traffic Impact Analysis should be performed. SCR ROW has no objections to this proposed rezone by CBJ.

SCR Traffic & Safety: T&S concurs with Planning and ROW's prescribed comments. No further comments.

SCR Environmental: No comments at this time.

SCR M&O: No comments at this time.

Thank you for the opportunity to review and provide feedback. Best Regards,

Caleb Bizzarro
Right Of Way Agent
Department of Transportation & Public Facilities
Southcoast Region Design & Engineering Services
Ph: (907) 465 4519
Email: caleb.bizzarro@alaska.gov

**AME2015-0010 – Rezone of approximately 105 acres
(40 CBJ owned) in Auke Bay from a mixture of
residential and commercial districts to MU3 and NC**

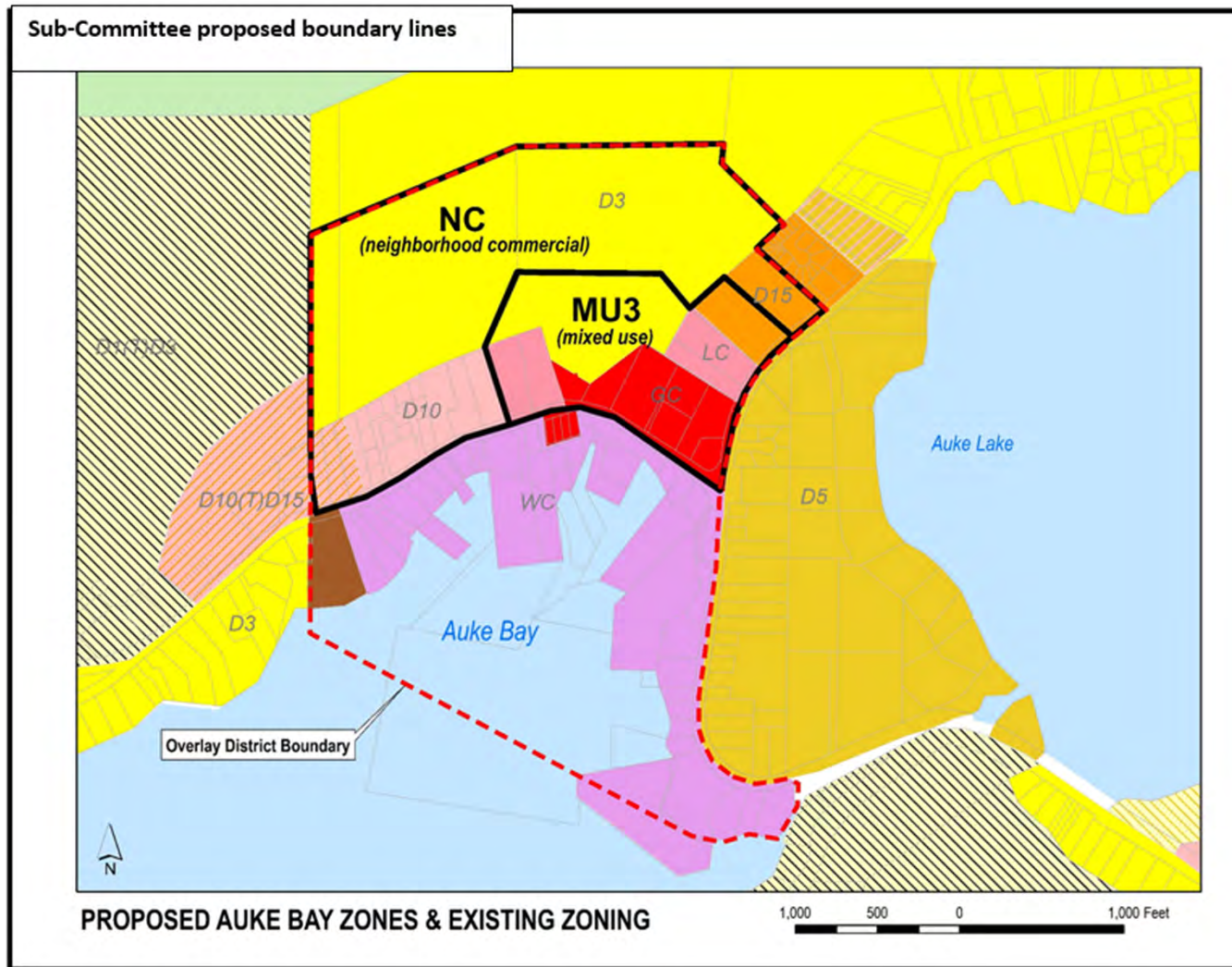
**Planning Commission Regular Meeting
June 22, 2021**



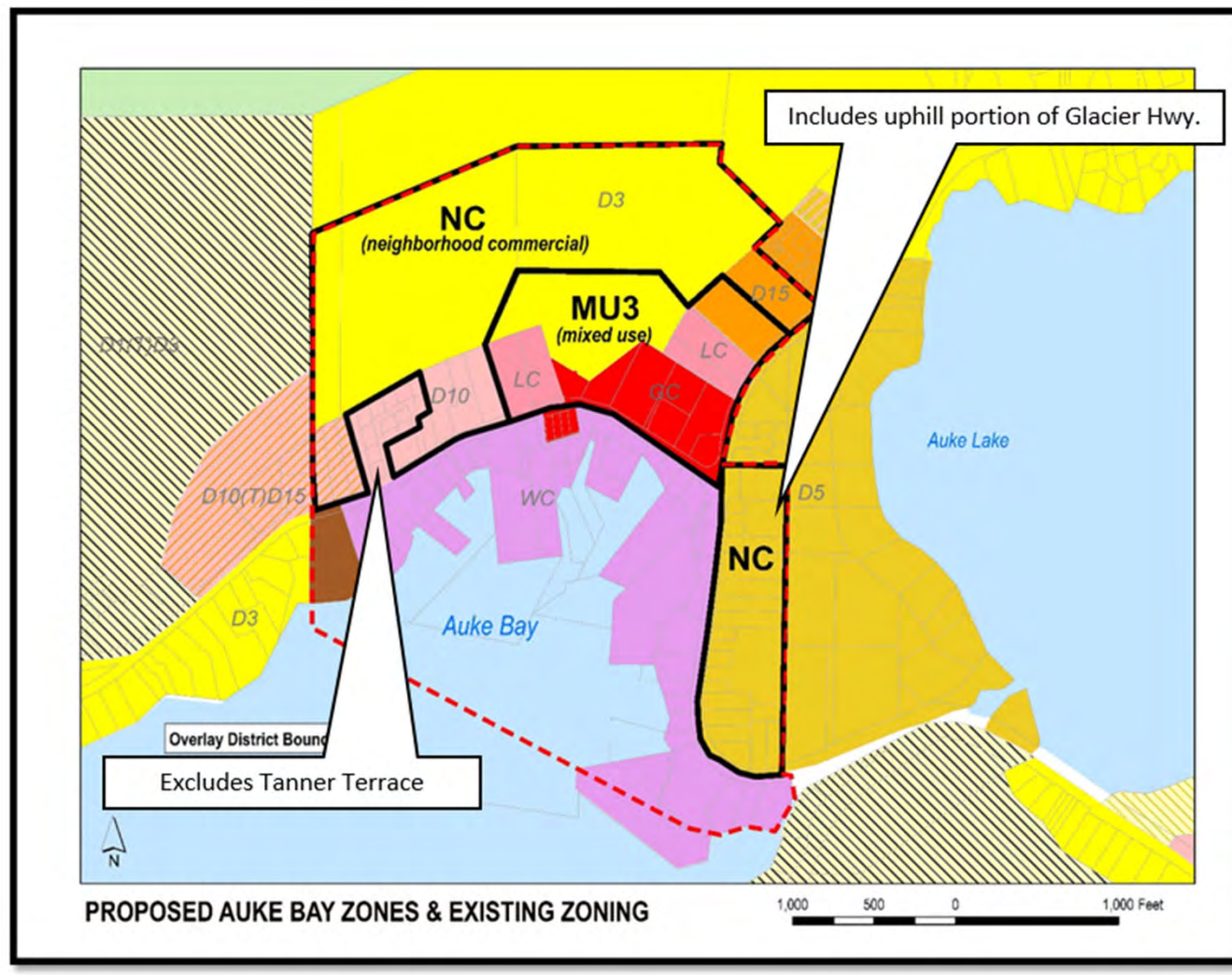
Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of **APPROVAL** to the CBJ Assembly for AME2015-0010 and AME2021-0006.

Proposed Boundary Lines



Recommended Boundary Lines



Rezone Requirements

CBJ 49.75.110 Initiation

A developer or property owner may initiate a request for rezoning in January or July. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.

- **This is a CBJ rezone request and can be initiated at any time. Adequate public notice was provided.**

CBJ 49.75.120 Restrictions on Re-zoning

Rezoning must be more than two acres or an expansion of an existing zone. Requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered.

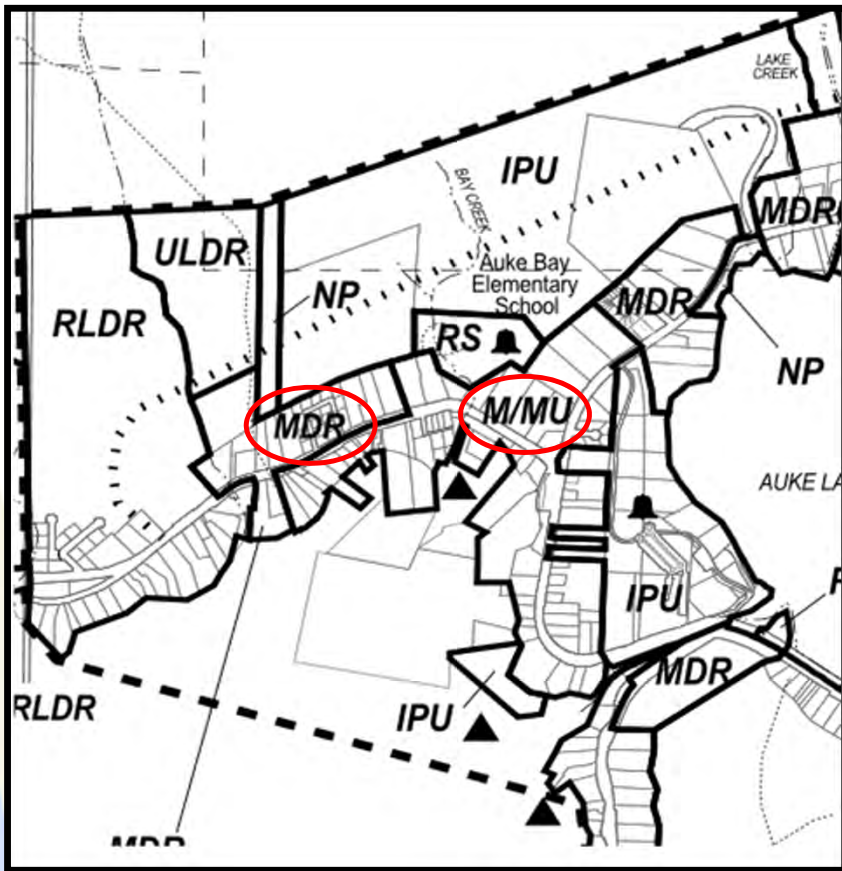
- **The proposed boundaries encompass more than two acres and a similar request has not been made within the previous 12 months.**

Rezone Requirements Continued...

49.75.120 Restrictions on Rezoning.

A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

Comprehensive Plan Land Use Map



- Marine / Mixed Use (M/MU)
- Medium Density Residential (MDR)

Comprehensive Plan Land Use Designations

8

Marine/Mixed Use (M/MU) – These lands are characterized by high density residential and non-residential land uses in areas in and around harbors and other water-dependent recreational or commercial/industrial areas. Typically, neighborhood-serving and marine-related retail, marine industrial, personal service, food and beverage services, recreational services, transit and transportation services should be allowed and encouraged, as well as medium- and high-density residential uses at densities ranging from 10 to 60 residential units per acre. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land. Float homes, live-a-boards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for these areas.

Medium Density Residential (MDR) – These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses.

Background - Land use vision from Auke Bay Area Plan

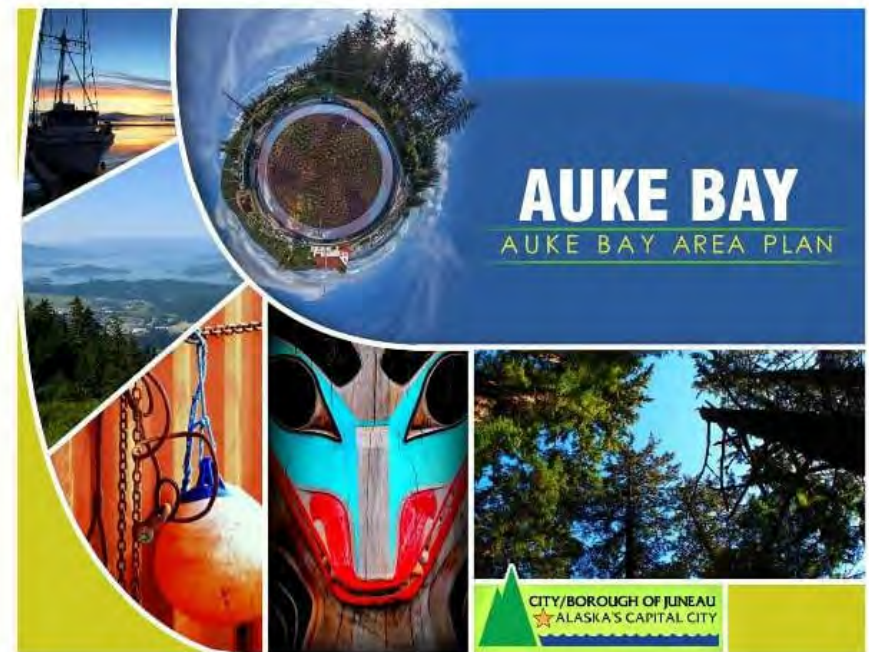
- Mixed Use Development
- Buildings At Least Two Stories
- Higher Density & Housing Variety
- Connected Street Grid
- Buildings Oriented to the Street
- Parking in the Rear
- Canopies
- Interesting Building Facades
- Outdoor Seating
- Landscaping
- Screening

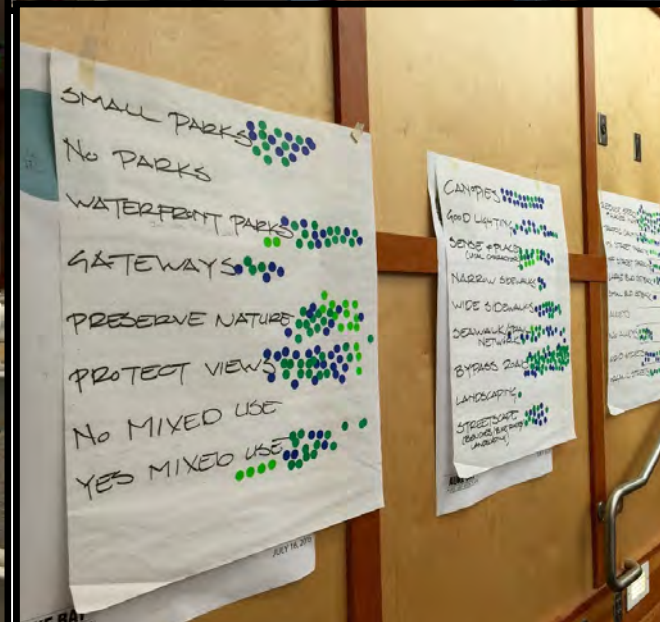
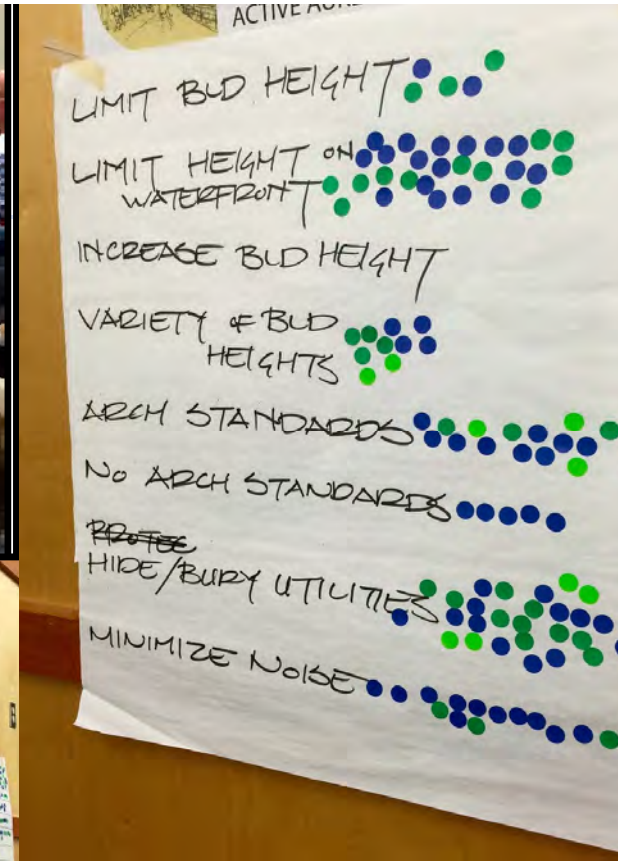
Auke Bay Area Plan – The Planning Process

- The planning process began in September 2013
- 19 member Steering Committee appointed by the Planning Commission
- 21 Steering Committee Meetings
- 3 Open House Meetings
- 2 Design Charrettes
- 1,038 Households Notified by Direct Mail
- 230 Flyers Posted
- 54 Newspaper Advertisements

ABAP – The Planning Process

- March 16, 2015 Assembly adopted the ABAP with Ordinance 2015-13.
- After adoption, total of 11 Steering Committee meetings to begin drafting new zoning for Auke Bay



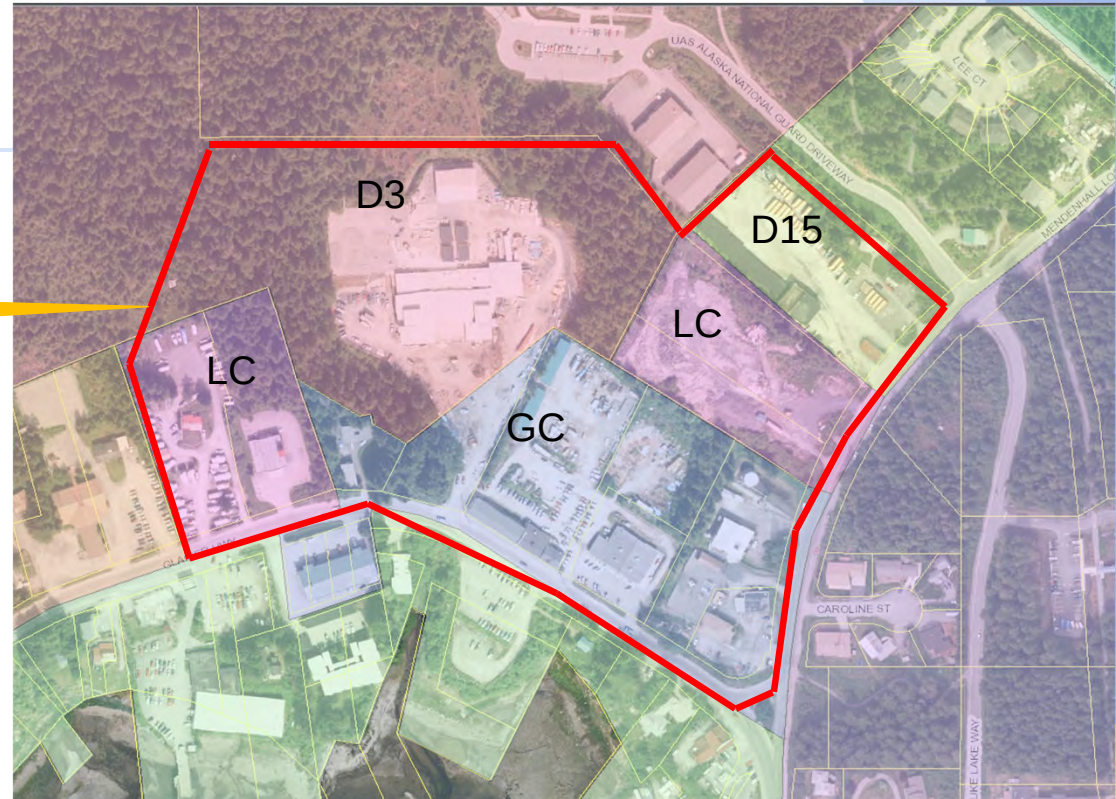


Rezone Public Process

- Seven neighborhood meetings
- 18 Sub-Committee Meetings
- Three Committee of the Whole Meetings

MU3 Proposed Rezone

MU3 Boundary



Feature	D3	D15	LC	GC	MU3
Density	3 units per acre	15 units / acre	30 units/ acre	50 units/ acre	30 units/ acre*
Maximum Height	35 feet	35 feet	45 feet	55 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	25 feet	10 feet	0-15 feet max

MU3 Purpose Statement

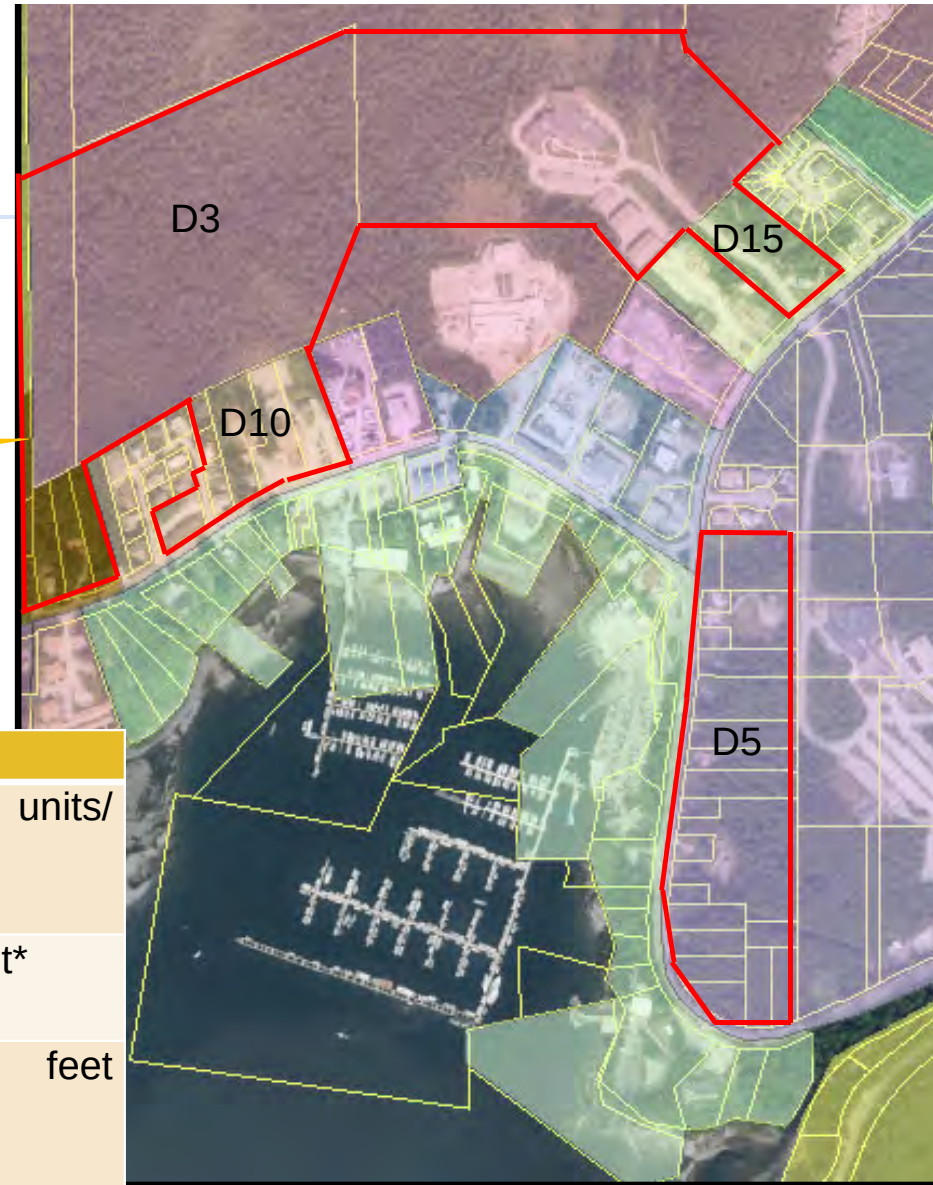
Mixed Use 3 (MU3) – intended to place a greater emphasis on the integration of small-scale commercial uses within high - density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

CBJ 49.25.300 Table of Permissible Uses

	Current Zoning				Proposed Zoning
	D3	D15	LC	GC	MU3
Single-family residential, duplexes	Dept.	Dept.	Dept.	Dept.	Not Allowed
Multifamily	Not allowed	Dept./CUP	Dept./CUP	Dept./CUP	Dept./CUP
Hotels, Motels	Not allowed	Not allowed	Dept./CUP	Dept./CUP	Dept./CUP
Retail Less than 5,000 sq. ft.	Not allowed	Not allowed	Dept.	Dept.	Dept.
Retail Greater than 5,000 sq. ft.	Not allowed	Not allowed	Dept./CUP	Dept./CUP	Not allowed
Light manufacturing	Not allowed	CUP	Dept./CUP	Dept./CUP	Dept./CUP
Medium Manufacturing	Not allowed	Not allowed	CUP	CUP	Not allowed
Seafood Processing	Not allowed	Not allowed	Not allowed	CUP	Not allowed
Health care clinic	Not allowed	CUP	Dept. CUP	Dept./CUP	Dept./CUP
Restaurants Less than 1,000 sq. ft.	Not allowed	CUP	Dept.	Dept.	Dept.

NC Proposed Rezone

NC Boundary



Feature	D3	D5	D10	D15	NC
Density	3 units/acre	5 units/acre	10 units/acre	15 units/acre	15 units/acre*
Maximum Height	35 feet	35 feet	35 feet	35 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	20 feet	20 feet	0-20 max feet

NC Purpose Statement

Neighborhood Commercial (NC) – intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis placed upon medium-density residential as the primary use with neighborhood-scale commercial activity that is less intense than existing commercial zoning districts.

Serve as a buffer between commercial and residential zoning districts.

CBJ 49.25.300 Table of Permissible Uses

	Current Zoning				Proposed Zoning
	D3	D5	D10	D15	NC
Single-family residential, duplexes	Dept.	Dept.	Dept.	Dept.	Not Allowed
Common wall (3 or more units)	Not allowed	Not allowed	Dept. /CUP	Dept. / CUP	Dept. / CUP
Multifamily	Not allowed	Not allowed	Dept./CUP	Dept./CUP	Dept./CUP
Retail Less than 5,000 sq. ft.	Not allowed	Not allowed	Not allowed	Not allowed	Dept.
Retail Greater than 5,000 sq. ft.	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Light manufacturing	Not allowed	Not allowed	Not allowed	Dept./CUP	Dept./CUP
Social, Fraternal Clubs, Union Halls	Not allowed	Not allowed	Not allowed	Not allowed	Dept. / CUP
Outpatient Healthcare Clinic	Not allowed	Not allowed	Not allowed	CUP	Dept. / CUP
Child care Center	CUP	CUP	CUP	CUP	Dept./CUP
Restaurants Less than 1,000 sq. ft.	Not allowed	Not allowed	Not allowed	CUP	Dept.

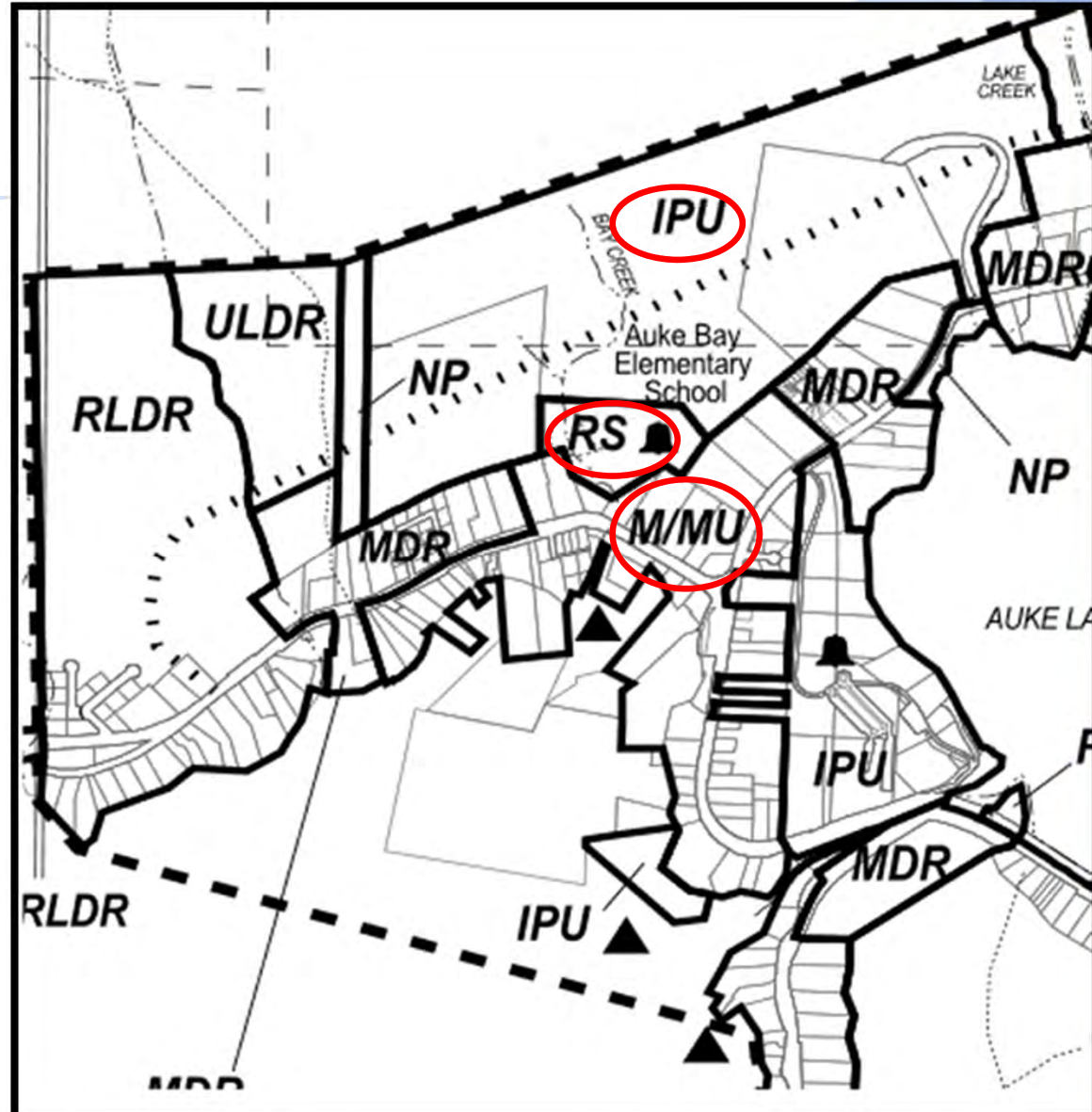
Proposed NC & MU3 Setback Regulations – Creating better buffers between zoning districts

49.25.430 Yard setbacks.

(8) *NC and MU3 parcels abutting residential zoning districts.* When a building in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5-foot setback and landscaping	Underlying zoning district setback, no landscaping
15.1 ft. to 25 ft.	8-foot setback and landscaping	
25.1 ft. and taller	10-foot setback and landscaping	

Comprehensive Plan Land Use Map



Comprehensive Plan Land Use Designations

Marine / Mixed Use (M/MU). These lands are characterized by ***high density residential and non-residential land uses*** in areas in and around harbors and other water-dependent recreational or commercial/industrial areas. Typically, ***neighborhood-serving and marine-related retail, marine industrial, personal service, food and beverage services, recreational services, transit and transportation services*** should be allowed and encouraged, ***as well as medium- and high-density residential uses at densities ranging from 10 to 60 residential units per acre.*** ***Ground floor retail space facing roads with parking behind the retail and housing above*** would be an appropriate and efficient use of the land. Float homes, live-a-boards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for these areas.

Comprehensive Plan Land Use Designations

Medium Density Residential (MDR).

*These lands are characterized by urban residential lands for multifamily dwelling units at **densities ranging from 5 to 20 units per acre**. Any commercial development should be of a scale consistent with a residential neighborhood...* (Emphasis added)

Comprehensive Plan Land Use Designations

Institutional and Public Use (IPU).

Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat harbors, schools, parks, farmers markets, publicly-supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities and road and public transit system easements. Also included are public aircraft facilities. The public use of these lands will vary widely, so IPU-designated lands can be under any zoning district, with the uses thereon appropriate for that zone as regulated in the Table of Permissible Uses (CBJ 49.25.300); the zone of any particular public use should be the same district as the surrounding or abutting lands.

Comprehensive Plan Land Use Designations

Recreational Service Parks (RS).

Recreation Service Parks include CBJ-owned lands with parks developed for active recreation, programmed use, and/or community gardens.

Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS-designated lands.

These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities beyond those accessory to park development. The CBJ should retain ownership of these lands. As many of the existing RS-designated lands are smaller than the minimum area required for a unique zone, these lands must be within the zoning district that surrounds or abuts them.

Conformity with the Comprehensive Plan

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
4	38	Policy 4.3	TO DESIGNATE ON LAND USE MAPS AN ADEQUATE SUPPLY OF BUILDABLE LAND WITHIN THE URBAN SERVICE AREA, AND PARTICULARLY ALONG TRANSIT CORRIDORS , FOR RESIDENTIAL USE AT DENSITIES THAT CAN PRODUCE HOUSING AFFORDABLE TO ALL ECONOMIC GROUPS.
4	41	Policy 4.8	TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.
10	131	Policy 10.3	10.3. TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS AFFORDABLE TO ALL ECONOMIC GROUPS.
10	132	Policy 10.4	POLICY 10.4. TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERSE IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATIONAL DECISIONS AND REGULATORY MEASURES.
10	132	Policy 10.4 – IA1	Seek to reduce or eliminate conflicts between medium or high density residential uses in established low density residential neighborhoods by encouraging the design of higher density housing to be compatible in scale, massing and orientation with the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).

Conformity with the Comprehensive Plan

Guidelines and Considerations for Subarea 3

- **Conduct an area plan or neighborhood plan for the Auke Bay** area that would address residential and non-residential uses in the vicinity of the cove, harbor and University **with the goal of creating a Marine Mixed Use, transit and pedestrian-oriented village in Auke Bay.** Marine Mixed Use land uses could include: Water-related recreation, eco-tourism, commercial fisheries, sport fisheries, marine-related research and aquaculture, and other private and public use of the waters; shoreline and inland areas of Auke Bay including the University of Alaska Southeast (UAS) campus, student and faculty housing, neighborhood-commercial needs, transportation systems, habitat protection, educational facilities, careful urban design, and view scape protection measures. This study should address the needs of and should include the participation of all stakeholders including property owners, residents, business operators, University administration, student and faculty, the Alaska Department of Transportation and Public Facilities, all relevant CBJ Departments and Divisions, NOAA staff and researchers and residents of neighborhoods who regularly traverse the Auke Bay area.
- **Encourage high-density, transit-oriented residential and/or mixed use developments in the Auke Bay “village” area and around the University, particularly for student and faculty affordable housing.**
- **Provide for expansion of the UAS campus, including student and faculty housing and athletic facilities.**

Conformity with the Comprehensive Plan

- Staff finds the proposed rezone to be generally conforming to the Comprehensive Plan.

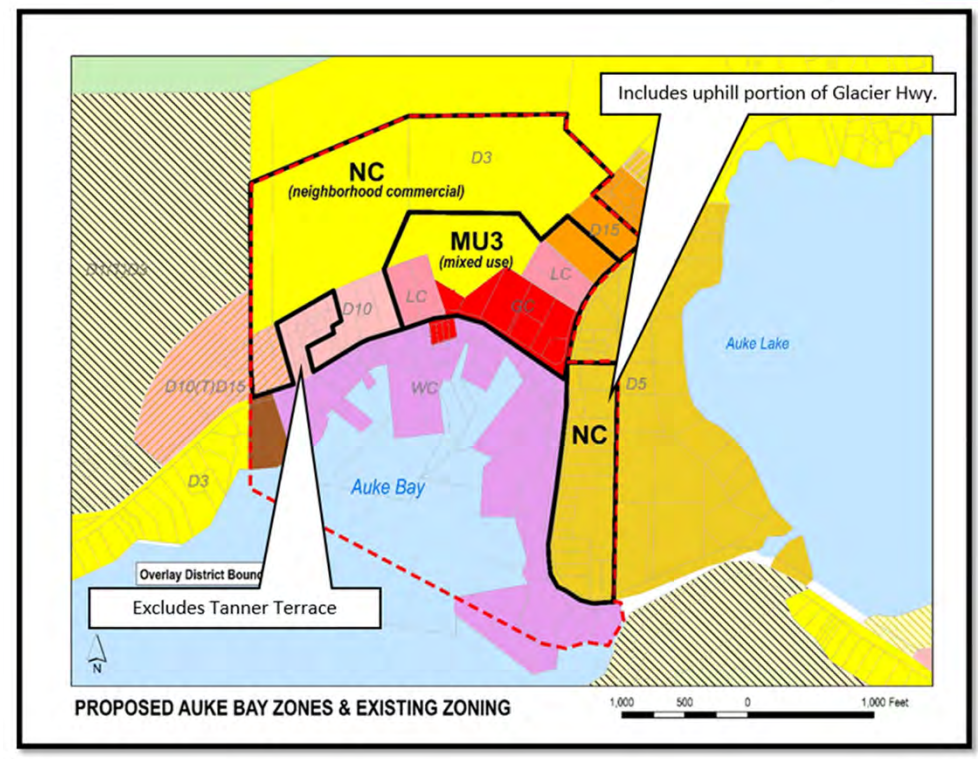
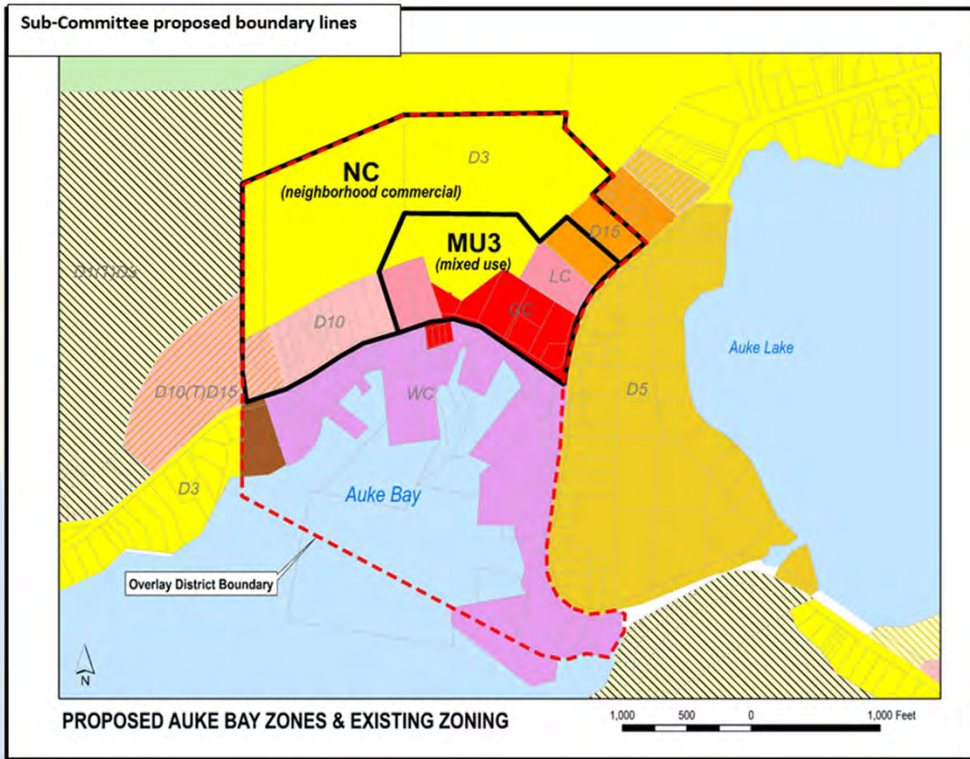
Agency Comments

Agency	Summary
CBJ Streets	No concerns at this time.
Alaska Department of Transportation	Planning – Planning has no objection to the rezone. ROW – Any and all points of access be it approach roads or driveways shall conform to Alaska Highway Preconstruction Manual standards. Provided anticipated traffic generation from these subdivisions is less than 100 vehicles per hour, no Traffic Impact Analysis would need to be performed. It may need to be performed once the nature of the development is known. If anticipated traffic volume is to exceed 100 vehicles per hour, then a Traffic Impact Analysis should be performed. SCR ROW has no objections to this proposed rezone by CBJ. Traffic and Safety – No further comments. Environmental – No comments at this time.
CBJ Engineering & Public Works	The rezone has the potential to increase demand on local infrastructure. Upgrades that may be needed overtime include: • Expansion of the treatment capacity at the Auke Bay plant or rerouting effluent to the Mendenhall Plant. • Increasing capacity of the municipal drinking water sources, transmission piping and reservoirs. • Larger drainage collection, conveyance and treatment infrastructure. In order to have more time to plan for and fund these upgrades, E&PW recommends restricting overlay district to only non-CBJ properties until upgrades are complete.
CBJ Building	No concerns with this project.
Capital City Fire/Rescue	No comments.
CBJ Assessor	Proposed rezone is unlikely to reduce property values. Fully developed, these properties will have a higher value than they do presently.

Summary of Public Comments

- Single-family home owners in Tanner Terrace do not want their properties rezoned to NC. Would like to remain D10 (multifamily). Multi-family property owner is Tanner Terrace is in favor of the rezone to NC.
- Concern over high traffic speeds, pedestrian safety, waste water capacity, preserving views from private property and parking.
- No comments outside of Tanner Terrace have been submitted against the rezone proposals.

Zoning Options and Alternatives



Findings

1. Was the rezone application filed timely and was adequate public notice provided in accordance with CBJ 49.75.110?

Yes. CDD staff held public meetings between 2018 and 2019, and mailed written notice to property owners within 500 feet of the proposed rezone. On March 10, 2020 and December 15, 2020, the Planning Commission held two Committee of the Whole meetings. Public testimony was taken at the December meeting.

2. Per CBJ 49.75.120 is this request for an area covering more than two acres, an expansion of an existing zoning district, and has no a similar request made within the previous 12 months?

Yes. The parcel exceeds two acres and no rezone application has been filed for this parcel within the past 12 months.

Findings

3. Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan; policies of the comprehensive plan, and Title 49, in accordance with CBJ 49.75.120?

Yes. The proposed rezone is in substantial conformance with the land use maps and policies of the comprehensive plan.

Recommendation

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of **APPROVAL** to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

QUESTIONS?

AME2021-0006 – Text amendment to create the Auke Bay Overlay District

**Planning Commission Regular Meeting
June 22, 2021**



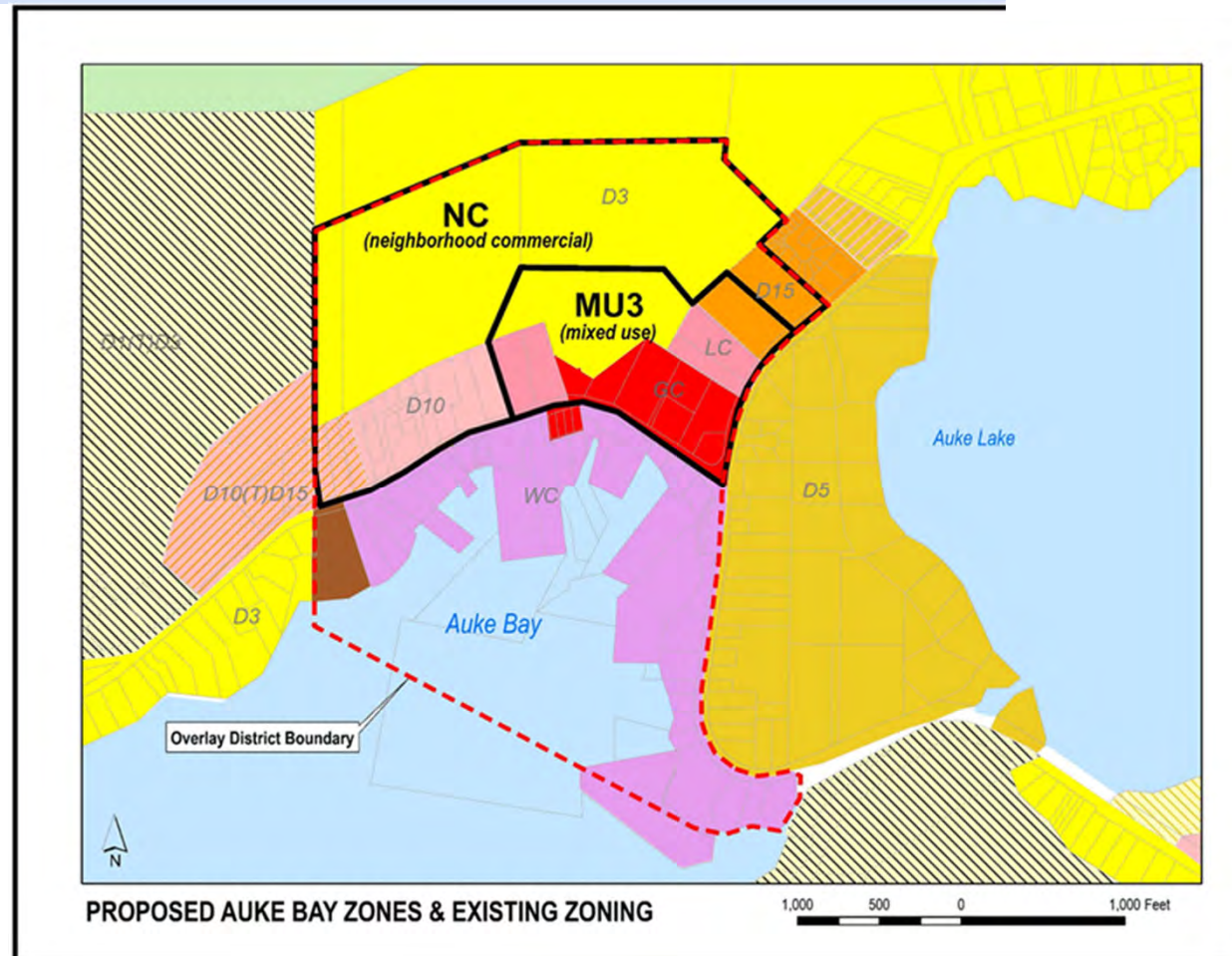
Auke Bay Overlay District

The purpose of the Auke Bay Overlay District is to implement the Auke Bay Area Plan Vision through design standards and development bonuses that promote the creation of a lively, village-like setting. Bonuses may be earned by providing a combination of design amenities and public benefits recommended by the Auke Bay Area Plan, which was adopted into the Comprehensive Plan

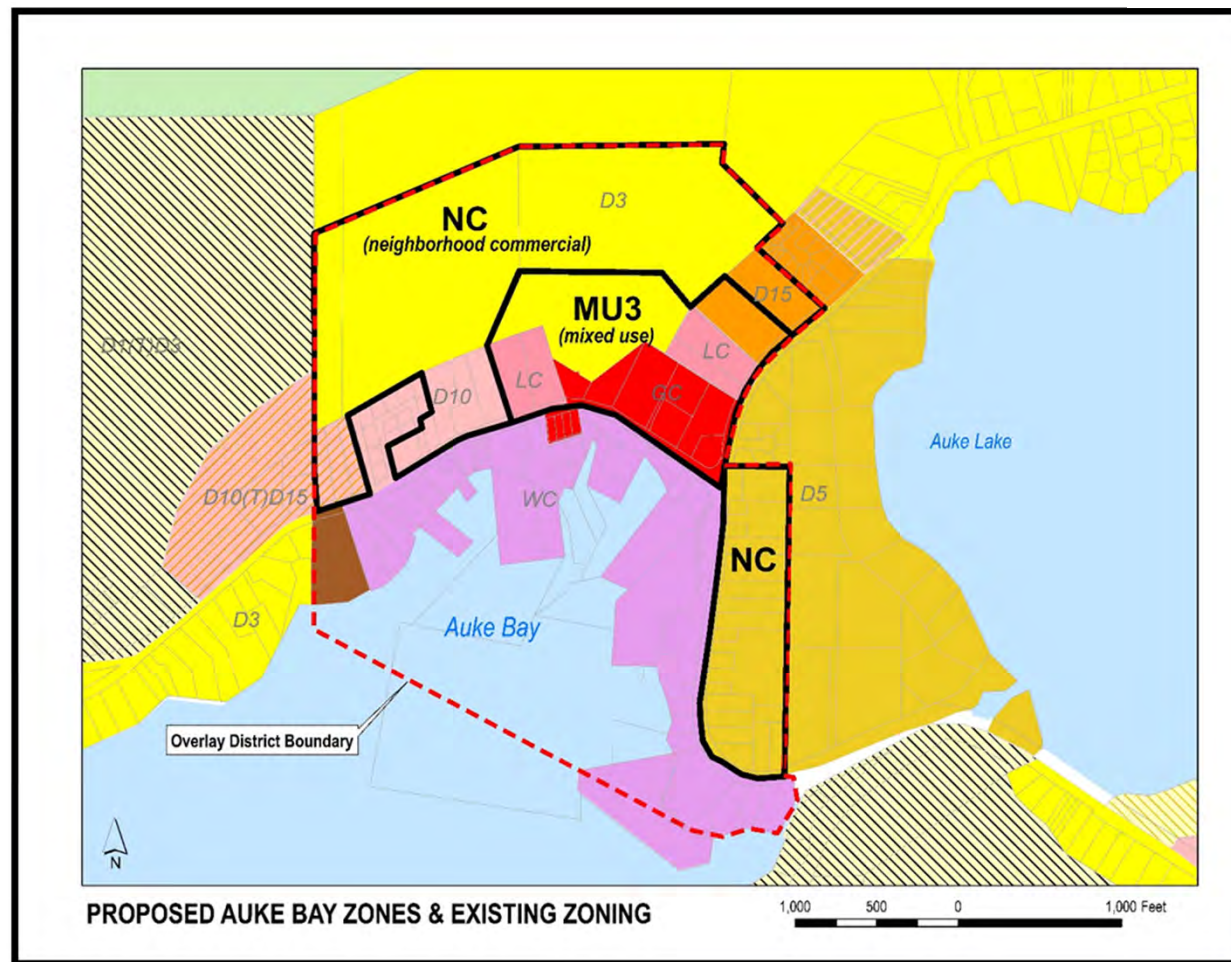
Land use vision from Auke Bay Area Plan

Design Element	How it is Accomplished
Buildings at least two stories	Existing
Parking Behind Buildings	Rezone
Mixed Use	Rezone and Overlay District
Higher Density / Housing Variety	Rezone and Overlay District
Buildings Oriented to Street	Rezone and Overlay District
Connected Street Grid	Overlay District
Canopies	Overlay District
Interesting Building Facades	Overlay District
Outdoor Seating	Overlay District
Landscaping	Overlay District
Screening	Overlay District

Proposed Boundary Line



Recommended Boundary Line



Bonuses: How They Work

- Bonus points may be acquired when a multi-family or commercial development provides one or more of the public amenities listed in the Auke Bay Area Plan.
- Points may be used for density increases, height increases and/or parking reductions.
- Incorporating public amenities is OPTIONAL.

Public Amenities

- Connected Street Grid
 - Platting new public rights-of-way
- Mixed-Use Buildings
- Building Design Standards
 - Ground level façade windows
 - Architecturally interesting entryways
 - Canopies
- Site Features
 - Pedestrian walkways
 - Covered bike racks
 - Outdoor seating
 - Outdoor planters and landscaping
- Screening
 - Parking lots
 - Waste receptacles
 - Oil, gas, pellet storage
 - Utility, mechanical, electrical boxes
- Views
 - Preserving Views of Auke Bay and Statter Harbor

Connected Street Grid

This bonus is intended to encourage the **dedication of private land to the CBJ for the future development** of a connected, CBJ owned and maintained street-grid system within the Auke Bay Hub area, as defined by this title, in order to facilitate growth and improve circulation.

Linear feet of public right of way	Standard	Points Earned
25 feet	All platted public rights-of-way shall be consistent with the public right-of-way width standard for streets other than arterials and connectors, as found in Chapter 49.35.	8 points for every 25 feet

Providing Public Parking

(2) *Providing public parking on private property.* A minimum of 12 parking spaces must be provided. The public parking spaces are in addition to the minimum parking required for the lot. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.

Parking Spaces Provided	Standard	Points Earned
12 or more	Bonus points may be earned for public parking providing 12 or more spaces.	1 point per space, twelve and above

Mixed Use

(3) *Mixed use structures.* Mixed use structures are intended to encourage structures that combine medium- to high-density residential uses with compatible commercial uses on a single site and within the same structure.

Residential/Commercial floor area ratio	Points Earned
1:1	8 points
2:1	12 points (16 points for zoning districts with height restrictions of 35 feet including maximum height with bonuses)
3:1	16 points (24 points for zoning districts with height restrictions of 45 feet including maximum height with bonuses)
4:1	24 points

Building Design Standards

Design Standards		Points Earned
Welcoming street facing building facades	Windows and building entrances comprise at least 20% of the ground floor wall area for all non-residential uses. Street facing façade windows shall be no more than 4 feet above finished grade. Windows and doors shall consist of clear glass.	3 points for every 20% transparency
Ground level entrances	Entryways shall be designed to orient customers with attractive architectural features, such as a recessed entryway, pedestrian oriented lighting, and weather protection. Each public entrance shall be clearly defined and highly visible.	3 points for each entryway
Canopies provided for public right-of-ways and improved pedestrian walkways	Canopies shall span the entire frontage of the building and shall meet CBJ canopy standards.	1 point for every 5 ft. of canopy



Site Features

Site Feature	Standard	Points Earned
Pedestrian walkways	Pedestrian walkways shall provide a direct route from a right-of-way or parking area to the building's main entrance, as determined by the director; be a minimum of 5 feet wide; be separated from a parking area or right-of-way with landscaping or a raised surface of at least 6 inches; consist of a walking surface other than dirt or gravel; connect to a pedestrian walkway on an abutting lot when possible	1 points per 10 feet of walkway
Covered bike rack	Bike rack(s) shall be installed near a building's ground level entrance; have a minimum capacity of four bikes. Bike racks shall be covered and shall be compatible with a U lock, as recommended in the Juneau Non-Motorized Transportation Plan.	1 point per bike rack
Outdoor seating	Outdoor seating shall consist of at least one bench that seats at least 4 people or one table that seats at least four people; be secured to the ground or building; and be provided at a minimum during the summer months	1 point per bench or table
Outdoor Planters or Landscaping	Outdoor planters or landscaping shall span a minimum of 25 percent of the building right-of-way facing façade(s); contain live, non-invasive plant(s); be designed and located in a manner that does not interfere with site distance from public right-of-ways or pedestrian walkways, as determined by the commission	1 point for every quarter of the building façade with planters or landscaping

Screening

Structures to be screened	Standard	Points Earned
Above-ground parking lots	Screening shall be four feet tall and shall consist of sight obscuring landscaping or a sight obscuring fence or wall. Parking areas do not need to be screened from pedestrian walkways that intersect the parking area.	3 points per parking lot
Recycle and trash receptacles; above-ground oil, gas, water or wood pellet storage containers; freestanding utility, mechanical and electrical boxes	Screening shall be as tall as the structure or object being screened; shall consist of sight obscuring landscaping, a sight obscuring fence or wall, murals or other forms of public art, or other methods that meet the purpose of this section, as determined by the commission	1 point each

Parking lot screening

Waste receptacle screening

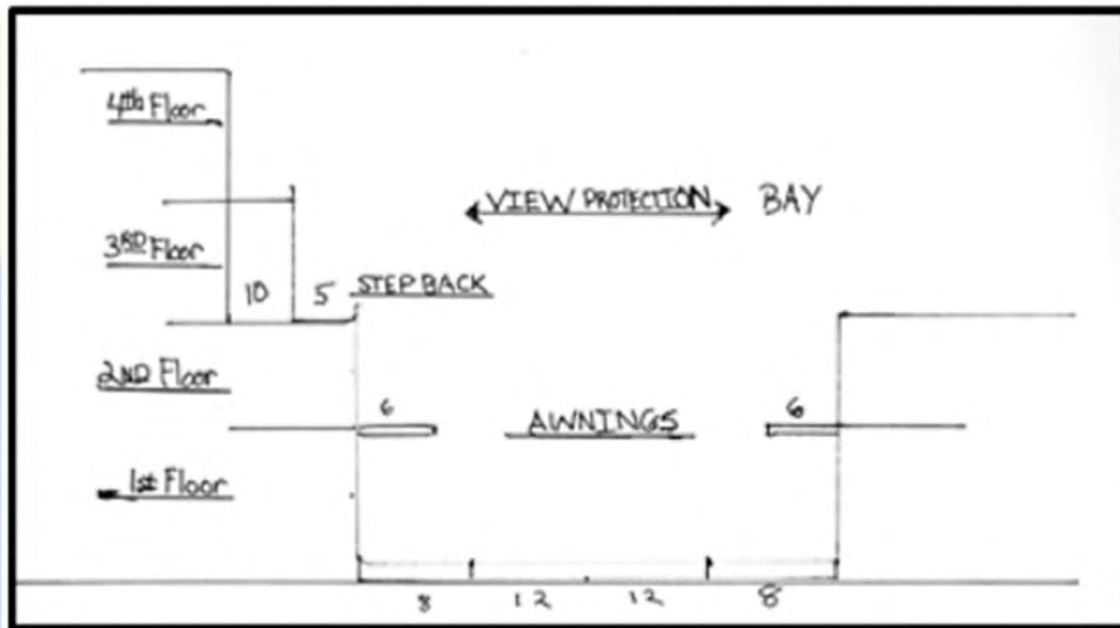


Utility screening



Preserving Views on Private Property

Building Stepback	Points Earned
Every 25% reduction of the footprint of the ground floor.	8 points



Earning Bonus Points



Zoned NC

3,000 square foot lot

Two story at 25 feet in height

Ground floor commercial with 3 dwelling units above

Parking requirement is 13 spaces

50 foot long canopy = 10 points

60% of the façade is transparent = 9 points

3 entryways are pedestrian oriented = 9 points

1:1 residential/commercial ratio = 8 points

Outdoor seating for four = 1 point

50% of the length of façade is landscaped = 2points

Second floor is 75% of the floor area of first floor = 8.3 points

Earned 47.3 points

Using Bonus Points to Increase Density

Bonus Points Needed	NC	MU3	WC
Standard Zoning	15 units per acre	30 units per acre	18 units per acre
8 points	17 units per acre	35 units per acre	21 units per acre
16 points	19 units per acre	38 units per acre	24 units per acre
24 points	21 units per acre	42 units per acre	27 units per acre
32 points	25 units per acre	50 units per acre	30 units per acre

Using Bonus Points to Increase Height

Bonus Points Needed	NC	MU3
	Permissible / accessory height limit	
Standard zoning	35' / 25'	35' / 25'
6 points	45' / 35'	45' / 35'
12 points	Max height is 45'	55' / 45'

Using Bonus Points to Decrease Parking

(d) *Reduce minimum parking requirements.* The maximum allowed parking reduction in the Auke Bay Overlay District is 30 percent of the total number of parking spaces required for all uses on the site. Dimensional standards for parking and off-street loading in 49.40.210 shall apply.

Bonus Points Needed	Parking Reduction
Standard zoning	Parking as required in 49.40
6 points	10% reduction
10 points	15% reduction
15 points	20% reduction
22 points	25% reduction
30 points	30% reduction

Conformity with Comprehensive Plan

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
3	17	Principle	Design on a Human Scale - Compact, pedestrian-friendly communities allow residents, workers and visitors to walk to shops, services, cultural venues, and jobs, reduce traffic congestion and improve people's health. Commercial space should face the street and should mimic a traditional Main Street development pattern with clear display windows, multiple entrances, all weather canopies and seating areas. There should be no blank walls facing public streets or walkways. Parking should be provided in the rear of structures with access roadways limited to side streets. Pedestrian pathways should be well-lit and protected from rain and snow.
3	18	Principle	Provide Choices - People want variety in housing styles and size and want conveniently accessible shopping, recreation, entertainment, transportation and employment. A variety of pedestrian-friendly uses creates dynamic neighborhoods and accommodates residents in different stages of their lives. Residential densities should be a minimum of 10 dwelling units per gross acre of land within the development with higher densities of 30 to 80 units per acre encouraged. These densities facilitate the efficient provision of frequent transit service, convenient shops and services, affordable development, and help create a vibrant street life.

Conformity with Comprehensive Plan

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
3	20	Policy 3.2	TO PROMOTE COMPACT URBAN DEVELOPMENT WITHIN THE DESIGNATED URBAN SERVICE BOUNDARY AREA TO ENSURE EFFICIENT UTILIZATION OF LAND RESOURCES AND TO FACILITATE COST EFFECTIVE PROVISION OF COMMUNITY SERVICES AND FACILITIES WHILE BALANCING PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS.
10	134	Policy 10.6	TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY.
10	134	Policy 10.6 – IA1	Continue existing incentives and develop additional incentives to encourage and reward excellence in site design and provision of amenities or facilities, particularly those related to preservation of natural terrain and vegetation, building orientation to maximize energy efficiency and privacy, and screening the parking in medium-to-high density developments. These incentives may include lower permit fees and/or permit expediting services.

Agency Comments

Agency	Summary
CBJ Streets	No concerns at this time.
CBJ Assessor	Likely proposal will result in increased property values.
Alaska Department of Transportation	Planning – Planning has no objection to the overlay district. ROW – Any and all points of access be it approach roads or driveways shall conform to Alaska Highway Preconstruction Manual standards. Provided anticipated traffic generation from these subdivisions is less than 100 vehicles per hour, no Traffic Impact Analysis would need to be performed. It may need to be performed once the nature of the development is known. If anticipated traffic volume is to exceed 100 vehicles per hour, then a Traffic Impact Analysis should be performed. SCR ROW has no objections to this proposed rezone by CBJ. Traffic and Safety – No further comments. Environmental – No comments at this time.
General Engineering	CBJ utilities can support the density increase proposed under AME15-10. <u>Water and waste water utilities will need to be upgraded in order to support the densities allowed under the Auke Bay Overlay District.</u>
Building	No concerns with this project.
Capital City Fire/Rescue	No comments.

Public Comments

- Concern over view preservation and lack of parking.
- Property tax incentives is the best way to encourage design standards.
- Don't increase height limits.
- Preserve all views – public and private.

Findings

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Yes. The proposed text amendment complies with the Comprehensive Plan.

2. Does the proposed text amendment comply with Title 49 – CBJ Land Use Code?

Yes. The proposed development complies with the purpose and intent of Title 49. Additionally, the proposed amendments do not create any inconsistencies within the code.

Recommendation

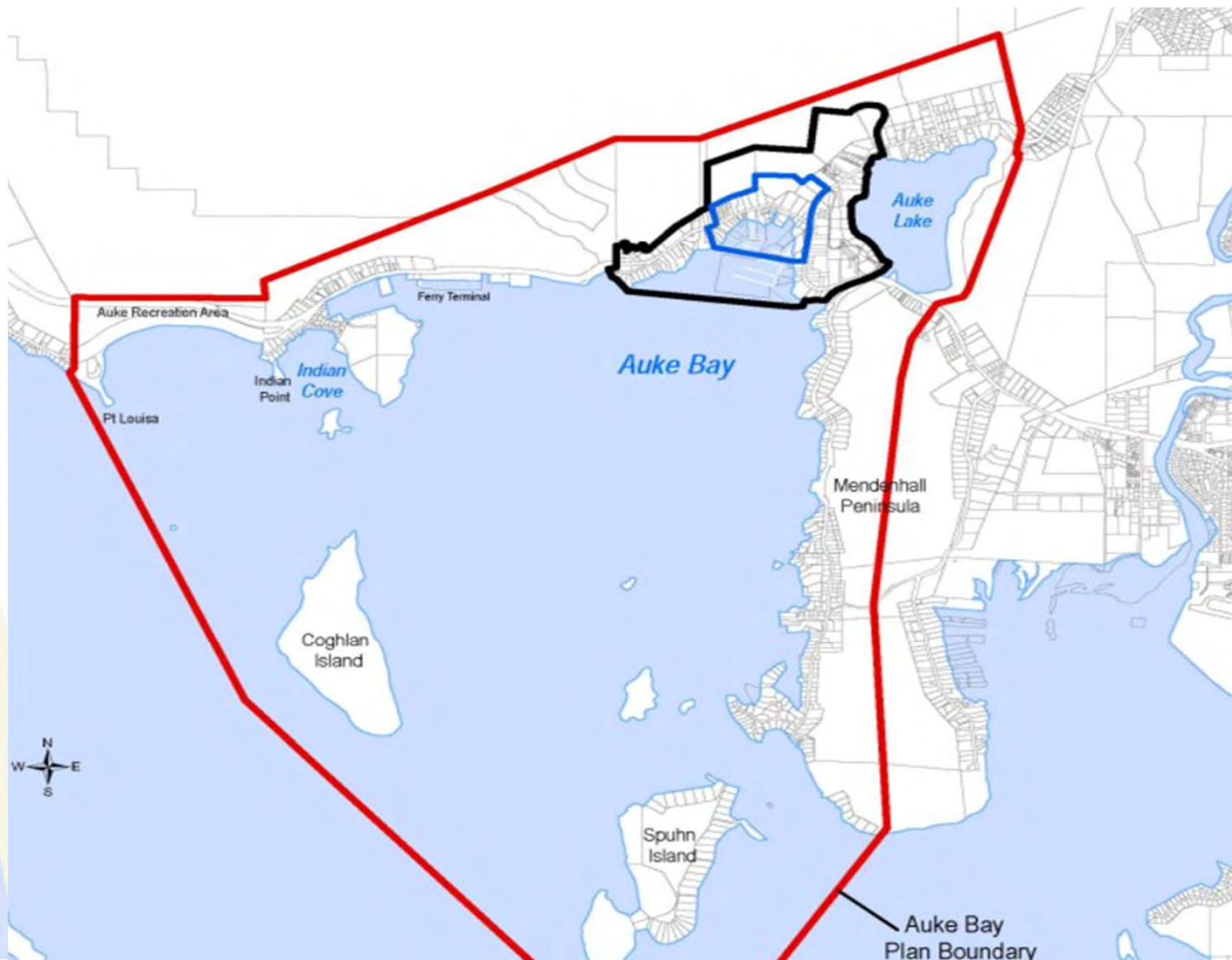
Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of **APPROVAL** to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

*Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

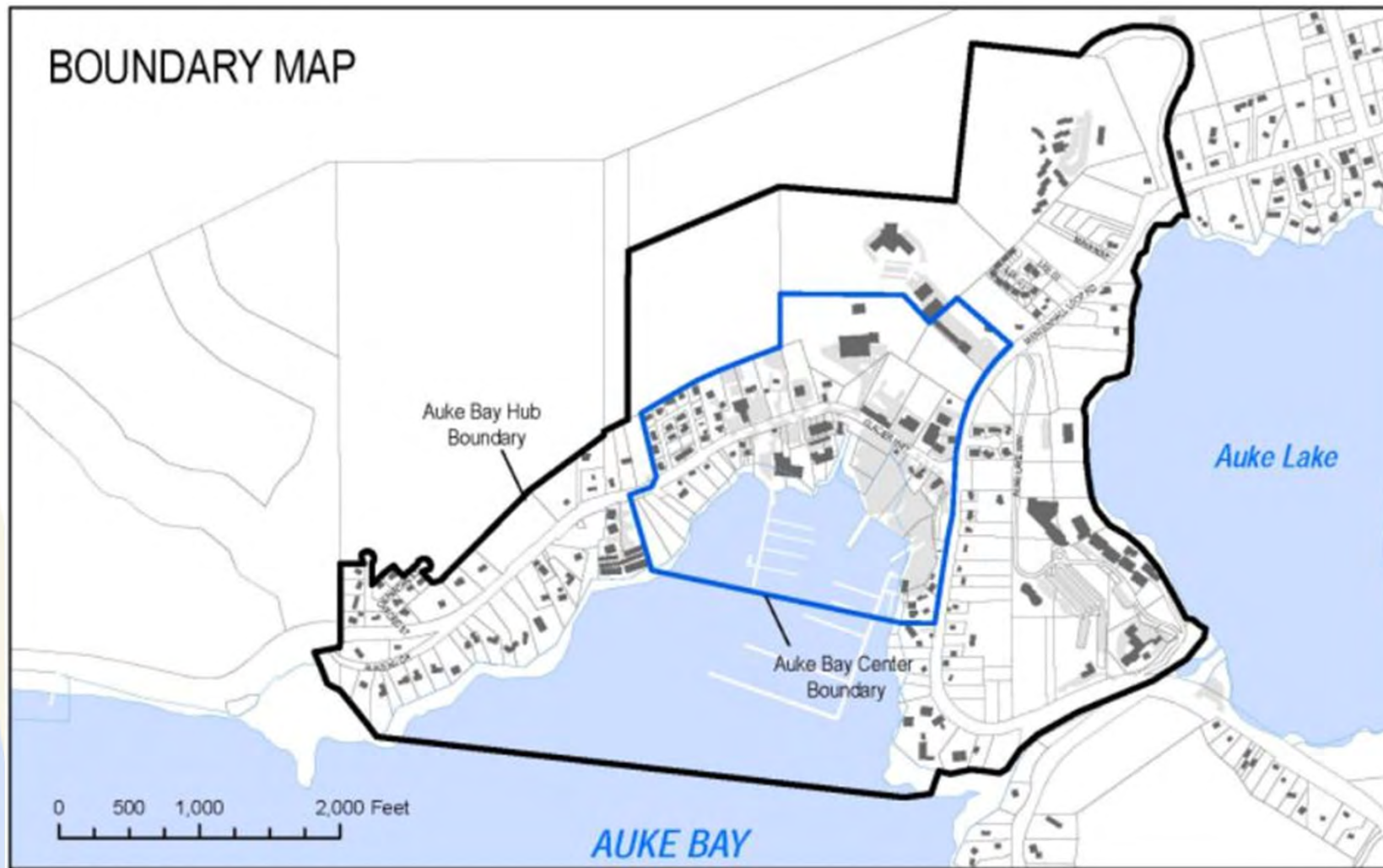
QUESTIONS?

View Points Map





BOUNDARY MAP

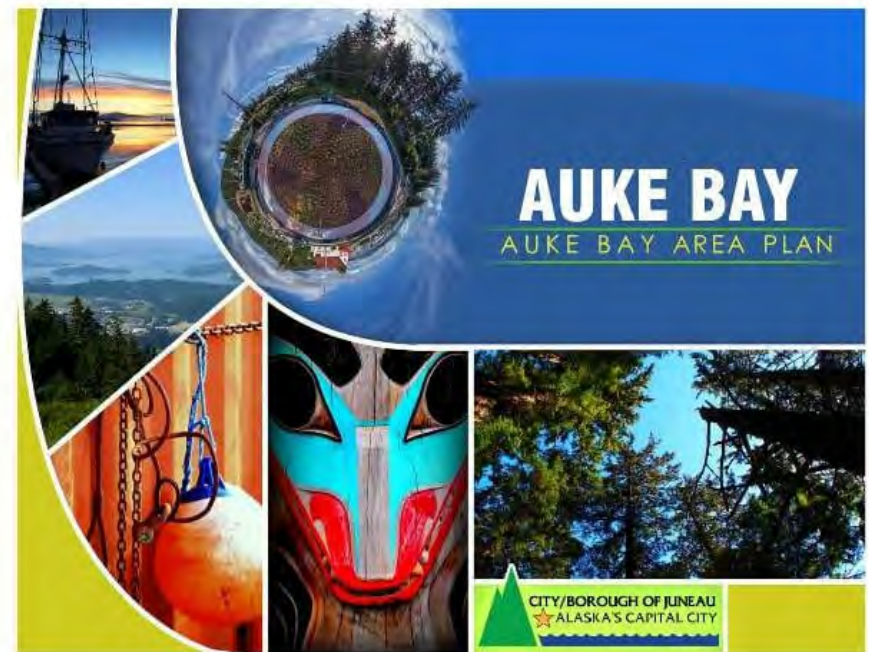


Auke Bay Area Plan – The Planning Process

- The planning process began in September 2013
- 19 member Steering Committee appointed by the Planning Commission
- 21 Steering Committee Meetings
- 3 Open House Meetings
- 2 Design Charrettes
- 1,038 Households Notified by Direct Mail
- 230 Flyers Posted
- 54 Newspaper Advertisements

ABAP – The Planning Process

- March 16, 2015 Assembly adopted the ABAP with Ordinance 2015-13.
- After adoption, total of 11 Steering Committee meetings to begin drafting new zoning for Auke Bay



**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2021 0006: A Text Amendment to revise Title 49 to create the Auke Bay Overlay District - DENIED
THE ZONING OVERLAY DISTRICT

AGENDA ITEM:

Case No.: AME2021 0006

Applicant: City & Borough of Juneau

Location: Auke Bay

Proposal: A Text Amendment to revise Title 49 to create the Auke Bay Overlay District

RECOMMENDATION:

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

ATTACHMENTS:

Description	Upload Date	Type
▣ Staff Report for AME2021 0006	6/15/2021	Staff Report



PLANNING COMMISSION STAFF REPORT
TEXT AMENDMENT AME2021 0006
HEARING DATE: JUNE 22, 2021

(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/CDD
 155 S. Seward Street • Juneau, AK 99801

DATE: June 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Text amendment to revise Title 49 to create the Auke Bay Overlay District

STAFF RECOMMENDATION: Staff recommends the Planning Commission recommend APPROVAL to the Assembly for the text amendment.

KEY CONSIDERATIONS FOR REVIEW:

- The Auke Bay Area Plan recommends building and site design standards that go beyond zoning district regulations.
- The Auke Bay Overlay District provides bonus points that can be earned to increase density, increase height restrictions or decrease parking requirements when design standards and public amenities are incorporated into a development.
- Staff recommends removing the Tanner Terrace Subdivision from the Auke Bay Overlay District boundary and including UAS property along Glacier Highway.

GENERAL INFORMATION	
Property Owners	Multiple
Applicant	City and Borough of Juneau, Alaska
Property Addresses	Multiple
Legal Description	Multiple
Parcel Numbers	Multiple
Zoning	LC; GC; D3; D10(T)D15; D15; D10
Land Use Designation	MDR, M/MU and RS
Lot Size	See map
Water/Sewer	CBJ
Access	Glacier Highway and Back Loop Road
Existing Land Use	Residential, Commercial and School
Associated Applications	AME2015 0010

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended overlay district boundary; recommend an alternative overlay district or recommend conditions.
2. **Deny:** recommend denial of the requested text amendment. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

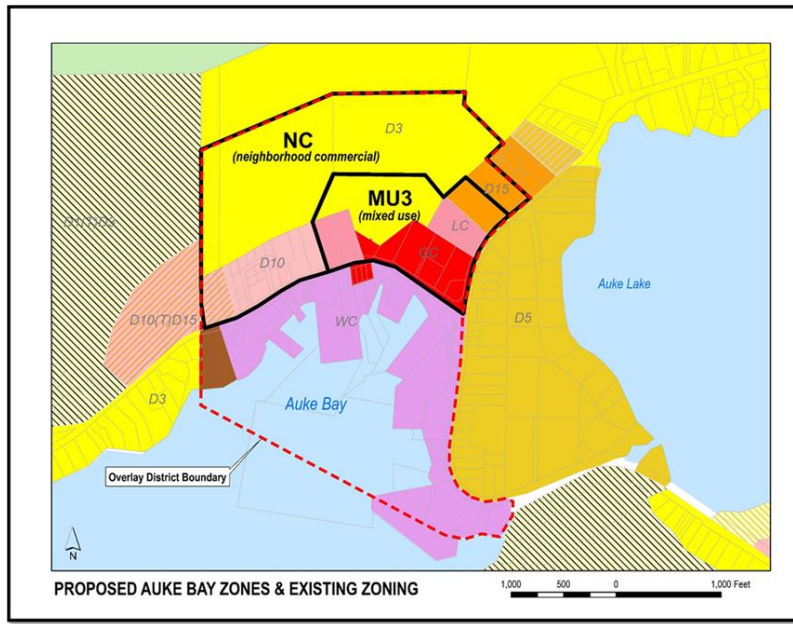
Assembly action is required for this text amendment.

STANDARD OF REVIEW:

- Legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.75.410
 - 49.10.170(d)

The Commission shall hear and decide the case per 49.75.410 - Text Amendments. *The commission shall initiate an amendment to this title by holding a public hearing to consider whether it should recommend such amendment to the assembly. The director shall provide at least ten days public notice of the hearing.*

PROPOSED OVERLAY DISTRICT BOUNDARIES



SURROUNDING ZONING AND LAND USES	
North (D3)	University of Alaska Rec Center & housing
South (WC)	Boat Harbor, multi-family & single-family
East (D15)	Multi-family
West (D10 (T) D15)	Single-family

SITE FEATURES	
Anadromous	No
Flood Zone	Zone X (Minimal Hazard)
Hazard	No known
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Proposed

PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Auke Bay Implementation Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

BACKGROUND INFORMATION

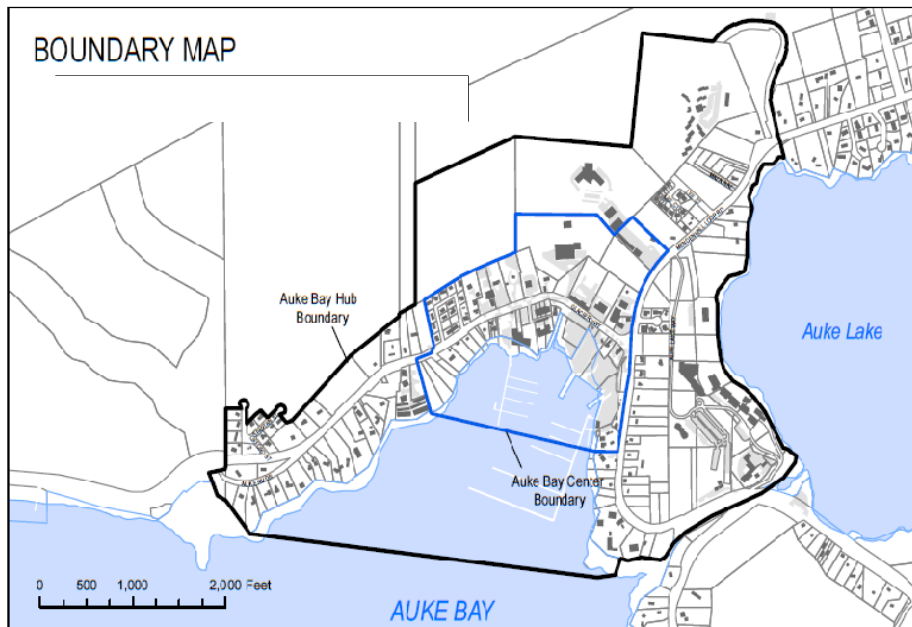
Project Description – This is a CBJ initiated text amendment that would amend the Title 49 Land Use Code to create the Auke Bay Overlay District. The purpose of the overlay district is to implement the Auke Bay Area Plan Land Use Vision through design standards and development bonuses that promote the creation of a lively, village-like community. Bonuses can be earned by providing a combination of design amenities and public benefits that are recommended by the Auke Bay Area Plan, which was adopted into the 2013 Comprehensive Plan. Bonus points can then be used to increase density, building heights or reduce parking. These increases and deductions are based on the underlying zoning district and they have limitations.

Auke Bay Area Plan – The Auke Bay Area Plan (ABAP) was adopted on March 16, 2015 (Ordinance 2015-13). The public outreach process for the ABAP involved 21 Steering Committee meetings, 3 open house-style meetings and 2 design charrettes. The public was notified of these meetings with over 1,000 household notifications, 230 flyers posted in the Auke Bay area and 54 newspaper advertisements. The public meetings were well attended and the public played a direct role in recommending goals and actions items for the Plan. Throughout the two year public process the ideas for a land use vision for the Auke Bay Center came up numerous times. Ultimately, the community came up with the following Land Use Vision:

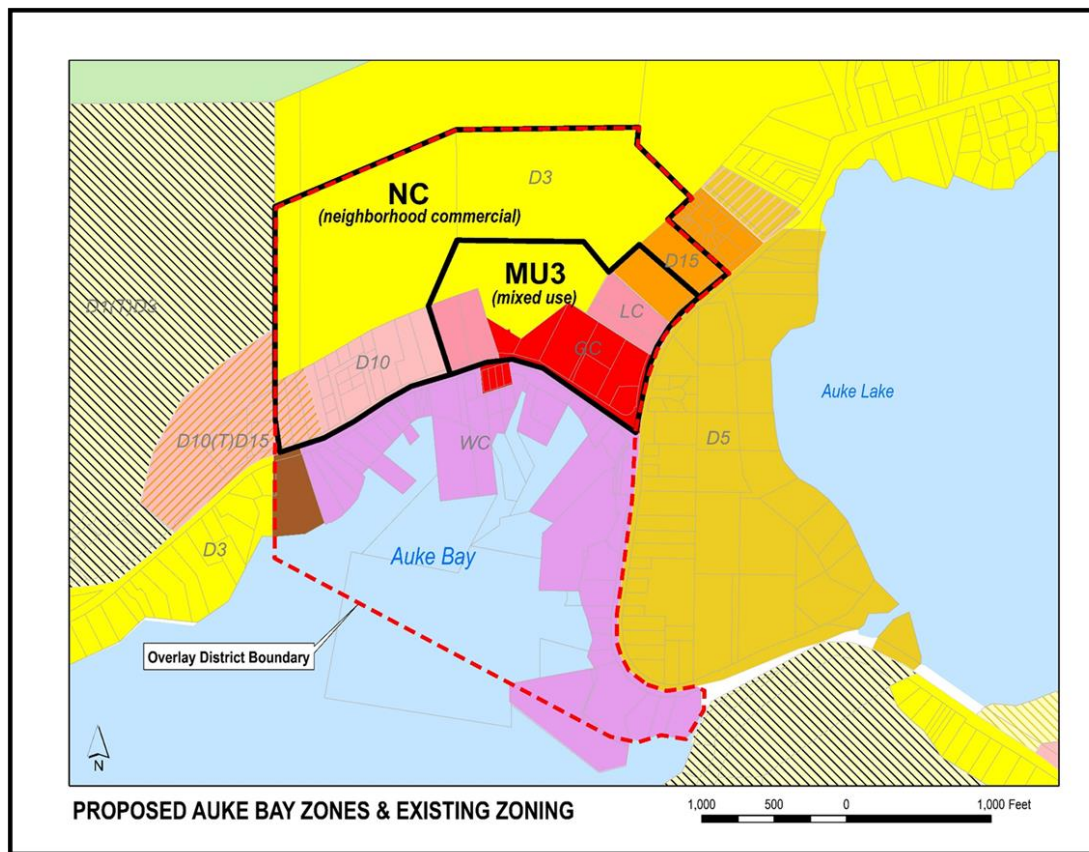
Land Use Vision for the Auke Bay Center (Auke Bay Area Plan: Chapter 1 Land Use, begins on page 6)

- Change the Marine/Mixed Use land use designation for the uphill portion of Glacier Highway to be more in line with the Traditional Town Center designation
- Build-to lines (i.e. small front yard setbacks)
- Building heights of at least two stories
- Buildings oriented toward the street
- Ground floor retail, offices; Upper-story residential and live/work units
- Interesting building facades for enhancing appearances
- Parking that is located in the rear, side or under buildings
- Hidden trash receptacles, loading docks, outdoor mechanical and electrical equipment
- Preserve scenic vistas and viewpoints
- Create a connected street grid with narrow streets, wide sidewalks and on-street parking in the Auke Bay Center
- Pedestrian Connections
- Street furniture, banners and plantings
- Park and Ride transit services
- Neighborhood park facilities
- An active Auke Bay Center

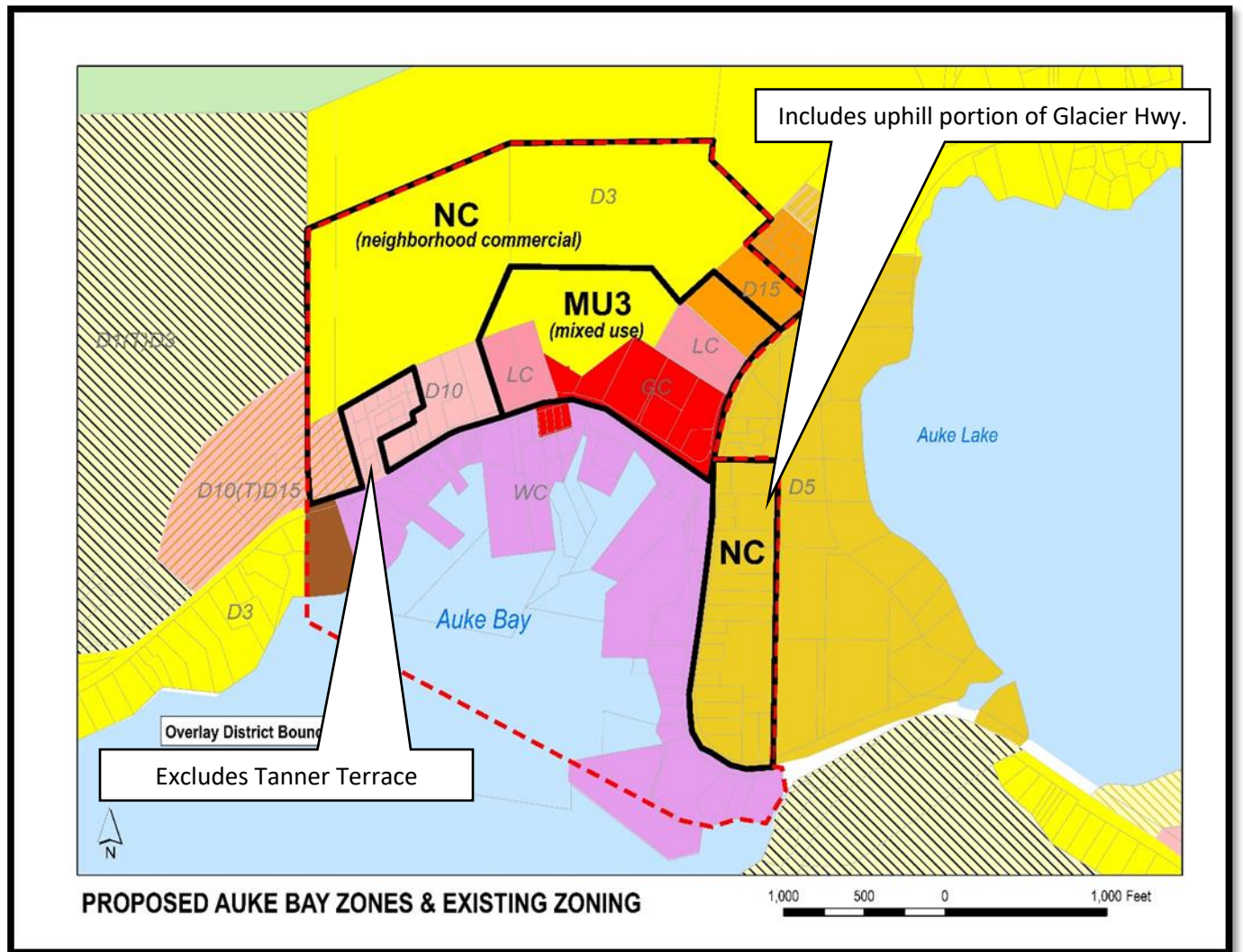
Auke Bay Center Boundary Map



Ad Hoc Committee Proposed Overlay District Boundary Map



Staff Proposed Overlay District Boundary Map



PROPOSED AUKE BAY REZONE (AME2015-0010)

CBJ is also initiating rezone request AME2015-0010 to rezone a portion of the Auke Bay Center from D3, D10, D10 (T) D15 and D15 to Neighborhood Commercial (NC) and rezone D3, LC and GC to Mixed Use 3 (MU3). The table below demonstrates how bonus points can be used to increase density, increase height restrictions or decrease parking requirements. The table below demonstrates how bonus points can be used based on the NC and MU3 zoning district requirements.

	NC		MU3	
FEATURE	REGULAR	BONUS	REGULAR	BONUS
Density per acre	15	30	30	50
Building Height	35 ft.	45 ft.	45 ft.	55 ft.
Parking Minimums		-30%		-30%

CBJ owns a 40 acre lot currently zoned D3. The proposed Auke Bay Rezone would rezone this lot to NC. The density of this lot would increase from three dwelling units per acre to 15 dwelling units per acre. The existing CBJ water

and waste water infrastructure will support this rezone. However, an immediate use of bonus points to increase density to 30 dwelling units per acre on such a large lot cannot be supported at this time. Therefore, CBJ will abstain for the density increase until such a time when the water and waste water infrastructure is upgraded to support the additional density.

AUKE BAY OVERLAY DISTRICT STANDARDS

The proposed overlay district provides property owners with the option of incorporating building and site design features into their development. The overlay district standards also apply to existing buildings and site that incorporate all or some of the public benefits, site features or design standards. All bonus point applications will go before the Planning Commission for a public hearing.

Public Benefits

1. Platting new public rights-of-way - Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area.
 - Currently, most of the lots within the Auke Bay Center front on Glacier Highway, an AKDOT arterial. CBJ 49.35.210 (b) (3) (A) requires lots that access directly onto an arterial be a minimum of 36,000 square feet. This severely restricts subdivision potential.
 - In addition to increasing development potential, increased roadway connectivity can result in a safer transportation system for vehicles, pedestrians and bicyclists, and can reduce congestion.
 - The location and dimensions of new public rights-of-way will be determined by the CBJ Engineering Director.
2. Providing public parking on private property - Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.
 - Shared public parking lots can be used by patrons of multiple businesses.
 - Shared parking can reduce parking facility costs, allow for greater flexibility in facility location and site design, and encourage more efficient use of land.
 - Parking space dimensions would have to meet the parking requirements in CBJ 49.40.210 (b).
3. Mixed use structures - Property owners can earn bonus points when they combine residential and commercial/office uses on a single site or within the same structure.
 - Mixed use developments can increase foot traffic which can help support local businesses.
 - Mixed use developments can reduce the need for frequent vehicle trips which decreases the impacts on transportation infrastructure.
 - Mixed use developments would promote a village-style mix of retail, restaurants, offices, civic uses and multi-family housing, and would provide more housing opportunities and choices.

Building Design Standards

1. Ground floor transparency – Street facing building facades that provide at least 20% ground floor transparency either through windows or building entrances can earn bonus points.
 - Buildings with a high percentage of ground floor transparency can enhance the pedestrian experience and contribute to active, safe, comfortable streets.
 - Ground floor transparency in commercial spaces is a guiding principle in CPTED (Crime Prevention through Environmental Design). By creating more eyes on the street, pedestrians and businesses feel safer.
 - Ground floor transparency will help create interesting building facades and buildings that are pedestrian oriented.
2. Ground level entrances and canopies - Buildings that are designed to orient customers with recessed entryways, pedestrian oriented lighting and canopies can earn bonus points.
 - Building entrances that are clearly defined and pedestrian oriented can add to the appeal and character of a neighborhood.
 - Canopies help protect pedestrians from snow and rain and protect the public sidewalk for weather-related deterioration.

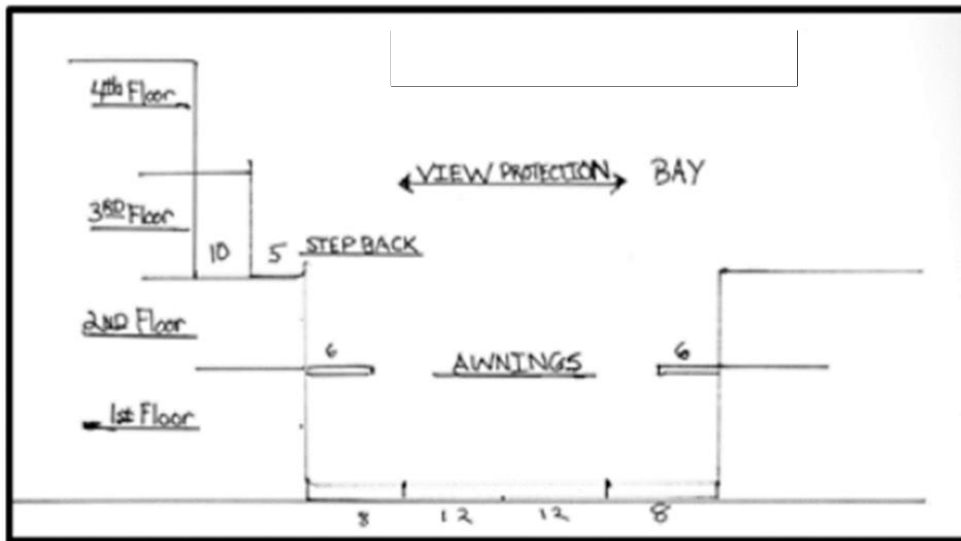
Site Features

1. Pedestrian Walkways – Pedestrian walkways are meant to provide safe, convenient connections between parking buildings and parking areas. Walkways must be at least 5 feet wide and separated from parking areas and right-of-ways with landscaping or a raised surface. Property owners can earn points for every 30 feet of walkway developed.
 - Pedestrian walkways will provide extra safety for pedestrians and promote walkability.
2. Covered Bike Racks – Property owners can earn bonus points when covered a bike rack with a minimum capacity for four bicycles is installed. The bike racks must be located near the building entrance.
 - Providing covered bike racks can encourage more residents to cycle and can make businesses more attractive to the cycling community.
3. Outdoor seating and landscaping – Property owners that provide outdoor seating during the summer months and year-round landscaping can earn bonus points.
 - These features will promote a pedestrian-friendly environment and improve the overall aesthetic of the Auke Bay Center.
4. Screening parking lots, outdoor electrical equipment, and trash receptacles – Property owners can earn bonus points by screening parking lots, electrical equipment and trash receptacles. Screening can be done with vegetation or fencing.
 - Screening can create a more aesthetically pleasing streetscape and can help visually unify multiple developments.

Preserving Views of Auke Bay and Statter Harbor

Property owners of structures that are at least two stories can earn bonus points for incorporating a building stepback approach into the construction design. This will help preserve views of Auke Bay and Statter Harbor for

abutting properties. Throughout the Auke Bay planning process and during the series of public meetings in 2018 and 2019, the community expressed how important view preservation is to character of the area.



SUMMARY OF PUBLIC COMMENT

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following. Written comments were read prior to the start of each meeting and those comments informed the decisions made at the Ad Hoc Committee meetings. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. A summary of all written comments received was included in the AME2015-10 staff report. The following comments related directly to the Auke Bay Overlay District.

NAME	ADDRESS	COMMENTS FROM NEIGHBORHOOD MEETINGS AND AD HOC COMMITTEE MEETINGS
Mike Allen	Oxford Street	Concerned about preserving views and lack of parking for new development.
Molly Hodges	Auke Bay Station Condos	Believes a property tax incentive is the best way to encourage design standards. Likes the pedestrian-friendly features. Does not like the height increases.

NAME	ADDRESS	COMMENTS FROM NEIGHBORHOOD MEETINGS AND AD HOC COMMITTEE MEETINGS
Jack Hodges	Auke Bay Station Condos	Bonus points may be useful but does not like using bonus points to increase heights.
Denise McPheso	Auke Bay	Preserve all views – public and private

CONFORMITY WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

Compliance with the Comprehensive Plan

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
3	17	Principle	<i>Design on a Human Scale - Compact, pedestrian-friendly communities allow residents, workers and visitors to walk to shops, services, cultural venues, and jobs, reduce traffic congestion and improve people's health. Commercial space should face the street and should mimic a traditional Main Street development pattern with clear display windows, multiple entrances, all weather canopies and seating areas. There should be no blank walls facing public streets or walkways. Parking should be provided in the rear of structures with access roadways limited to side streets. Pedestrian pathways should be well-lit and protected from rain and snow.</i>
3	18	Principle	<i>Provide Choices - People want variety in housing styles and size and want conveniently accessible shopping, recreation, entertainment, transportation and employment. A variety of pedestrian-friendly uses creates dynamic neighborhoods and accommodates residents in different stages of their lives. Residential densities should be a minimum of 10 dwelling units per gross acre of land within the development with higher densities of 30 to 80 units per acre encouraged. These densities facilitate the efficient provision of frequent transit service, convenient shops and services, affordable development, and help create a vibrant street life.</i>

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
3	20	Policy 3.2	<i>TO PROMOTE COMPACT URBAN DEVELOPMENT WITHIN THE DESIGNATED URBAN SERVICE BOUNDARY AREA TO ENSURE EFFICIENT UTILIZATION OF LAND RESOURCES AND TO FACILITATE COST EFFECTIVE PROVISION OF COMMUNITY SERVICES AND FACILITIES WHILE BALANCING PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS.</i>
10	134	Policy 10.6	<i>TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY.</i>
10	134	Policy 10.6 – IA1	<i>Continue existing incentives and develop additional incentives to encourage and reward excellence in site design and provision of amenities or facilities, particularly those related to preservation of natural terrain and vegetation, building orientation to maximize energy efficiency and privacy, and screening the parking in medium-to-high density developments. These incentives may include lower permit fees and/or permit expediting services.</i>

Compliance with the Auke Bay Area Plan

2015 AUKE BAY AREA PLAN – The proposed rezone is in compliance with the Auke Bay Area Plan.			
Chapter	Page No.	Item	Summary
1	6	Land Use Vision	<i>Create a village-like setting with ground floor commercial and residential above, parking located at the rear, side or under buildings, pedestrian-oriented buildings constructed close to the right-of-way while preserving key view sheds.</i>
1	13	Goal 1	<i>Develop Auke Bay as a community to live, learn, work, shop and recreate within</i>
1	13	Goal 3	<i>Coordinate and support the development of an Auke Bay hub that serves the needs of the University, the harbors, businesses and residents.</i>

AGENCY REVIEW

CDD conducted an agency review comment period between 5/21/2021 – 6/4/2021. Agency review comments can be found in Attachment D.

Agency	Summary
CBJ Streets	No concerns at this time.
CBJ Assessor	See Attachment D.
Alaska Department of Transportation	Planning – Planning has no objection to the overlay district. ROW – Any and all points of access be it approach roads or driveways shall conform to Alaska Highway Preconstruction Manual standards. Provided anticipated traffic

Agency	Summary
	generation from these subdivisions is less than 100 vehicles per hour, no Traffic Impact Analysis would need to be performed. It may need to be performed once the nature of the development is known. If anticipated traffic volume is to exceed 100 vehicles per hour, then a Traffic Impact Analysis should be performed. SCR ROW has no objections to this proposed rezone by CBJ. Traffic and Safety – No further comments. Environmental – No comments at this time.
General Engineering	CBJ utilities can support the density increase proposed under AME15-10. Water and waste water utilities will need to be upgraded in order to support the densities allowed under the Auke Bay Overlay District.
Building	No concerns with this project.
Capital City Fire/Rescue	No comments.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed text amendment.

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Analysis: The proposed amendment is generally consistent with the overall vision of the 2013 Comprehensive Plan.

Finding: Yes. The proposed text amendment complies with the 2013 Comprehensive Plan and the 2015 Economic Plan.

2. Does the proposed text amendment comply with Title 49 – Land Use Code?

Analysis: The proposed amendment was drafted with the purpose and intent of Title 49 taken into account. If approved, drafted code will be consistent with the above purposes.

Finding: Yes, The proposed development complies with the purpose and intent of Title 49. Additionally, the proposed amendments do not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

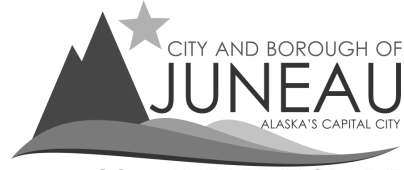
Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Abutters Notice
Attachment B	Auke Bay Overlay District Draft Ordinance
Attachment C	Public Comments
Attachment D	Agency Comments

Invitation to Comment

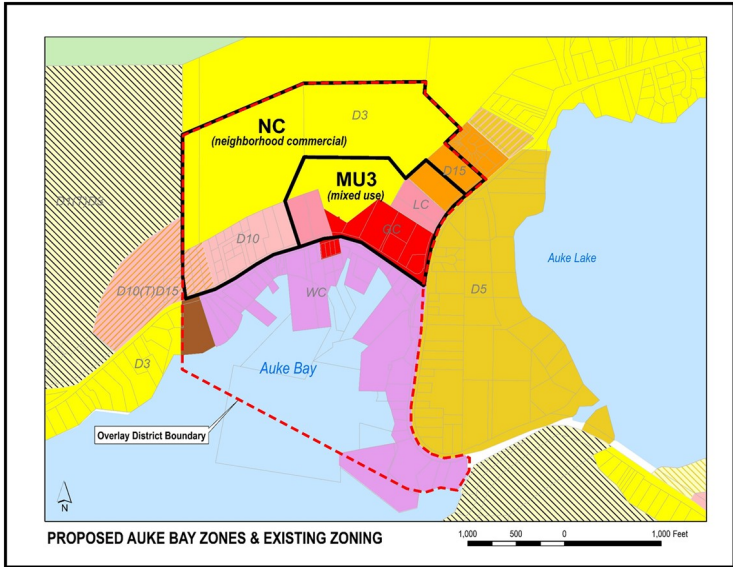
On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:



A rezone and text amendment are being proposed to rezone a portion of the Auke Bay Center to Mixed Use 3 and Neighborhood Commercial, and the creation of the Auke Bay Overlay District.

TIMELINE

Staff Report expected to be posted **Tuesday, June 1, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

March 27 noon, June 7

Comments received during this period will be sent to Commissioners to read in preparation for the hearing. If you have previously submitted written comments those have already been included in the staff report.

HEARING DATE & TIME: 7:00 pm, June 8 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, <https://juneau.zoom.us/j/95600342842>. The Webinar ID is: 956 0034 2842. To join by telephone, call: 1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 and enter the Webinar ID.

June 9

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Printed June 1, 2021

Case No.: AME2015-10 and AME2021-05
Parcel No.: Multiple parcels
CBJ Parcel Viewer: <http://epv.juneau.org>

Presented by: The Manager
Introduced: 06/08/2021
Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to the Auke Bay 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 XIII to read:

ARTICLE XIII. AUKE BAY OVERLAY DISTRICT

49.70.1300 Purpose.

The purpose of the Auke Bay Overlay District is to implement the Auke Bay Area Plan Vision through design standards and development bonuses that promote the creation of a lively, village-like setting. Bonuses may be earned by providing a combination of design amenities and public benefits recommended by the Auke Bay Area Plan, which was adopted into the Comprehensive Plan.

49.70.1310 Applicability.

Auke Bay Overlay District. This article applies to parcels located within the Auke Bay Overlay District as shown on the map dated August 30, 2019. Bonus points may be granted for any multi-family or commercial development within the Auke Bay Overlay District boundary.

49.70.1320 Relationship to Existing Zoning.

This article applies only to parcels within the Auke Bay Overlay District. This article provides the option for developers to earn bonus points by providing public benefits and/or design standards as recommended in the Auke Bay Area Plan. If a developer chooses to earn bonus

points a minimum of 10 percent of bonus points must be earned by providing design standards. Bonus points may be used to increase density, increase building height, or reduce minimum parking requirements. All other requirements of the underlying zoning district apply.

49.70.1330 Auke Bay Overlay District procedure.

- (a) *Auke Bay Overlay District Permit.* The board of adjustment shall hear all applications pursuant to this article.
- (b) *Pre-application Conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the public benefits, design standards and bonuses being proposed. The developer must show the nature and extent of such bonuses in the Auke Bay Overlay District application.
- (c) *Application.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer's intentions, shall advise the developer whether or not the application is acceptable; and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the planning commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the board of adjustment together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefore. The director shall make the determinations specified in subsection (d) (5) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, Auke Bay Area Plan, or other officially adopted plans.

(e) *Review of director's determinations.*

(1) At the hearing on the Auke Bay Overlay District permit, the board of adjustment shall review the director's report to consider:

- (A) Whether the proposed development is appropriate according to the Auke Bay Overlay District;
- (B) Whether the application is complete; and
- (C) Whether the development as proposed will comply with the other requirements of this title.

(2) The board of adjustment shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.

(f) *Board of Adjustment determinations.* Even if the board of adjustment adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:

- (1) Materially endanger the public health or safety;
- (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
- (3) Lack general conformity with the comprehensive plan, Auke Bay Area Plan, or other officially adopted plans.

49.70.1340 Auke Bay Overlay District Standards.

Structures or sites existing on the date this ordinance was adopted, that contain all or some of the public benefits, site features and design standards may earn bonus points. The process for earning bonus points for existing structures or sites is the same as with new development.

(a) Public benefits.

(1) *Platting new public rights-of-way.* Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area.

Feet of public right of ways	Standard	Points Earned
25		8

50	All platted public rights-of-way shall be consistent with the public right-of-way width standard for streets other than arterials and connectors, as found in Chapter 49.35.	16
75		24
100		32

(2) *Providing public parking on private property.* Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.

Parking Spaces Provided	Standard	Points Earned
12 or more	Bonus points may be earned for public parking providing 12 or more spaces.	1 point per space, twelve and above

(3) *Mixed use structures.* Mixed use structures is intended to encourage mixed-use structures that combine medium- to high-density residential uses with compatible commercial uses on a single site or within the same structure.

Residential/Commercial floor area ratio	Points Earned
1:1	8 points
2:1	12 points (16 points for zoning districts with height restrictions of 35' including maximum height with bonuses)
3:1	16 points (24 points for zoning districts with height restrictions of 45' including maximum height with bonuses)
4:1	24 points

(b) *Building Design Standards.* Building design standards are intended to encourage the inclusion of specific design standards within new development, and additions or exterior improvements to existing structures. The building design standards represent the vision of future development in the Auke Bay Center, as identified in the Auke Bay Area Plan. A minimum of 10 percent of all bonus points earned must be earned from design standards.

Design Standards		Points Earned
Street facing building facades	Windows and building entrances shall comprise at least 20% of the ground floor wall area for all non-residential uses. Street facing façade windows shall be no more than 4 feet above finished grade.	3 points for every 20% transparency
Ground level entrances	Entryways shall be designed to orient customers with attractive architectural features, such as a recessed entryway, pedestrian oriented lighting, and weather protection. Each public entrance shall be clearly defined and highly visible.	3 points for each entryway
Canopies covering or facing public right-of-ways and improved pedestrian walkways	Canopies shall span the entire frontage of the building and shall meet CBJ canopy standards.	4 points for every 20' of canopy

(5) Site Features. Site features are intended to encourage the installation of features that promote pedestrian safety and create interesting and inviting outdoor spaces.

Site Feature	Standard	Points Earned
Pedestrian walkways	Pedestrian walkways shall provide a direct route from a right-of-way or parking area to the building's main entrance, as determined by the director; be a minimum of 5 feet wide; separated from a parking area or right-of-way with landscaping or a raised surface of at least 6 inches; consist of a walking surface other than dirt or gravel; connect to a	3 points per 30' of walkway

	pedestrian walkway on an abutting lot when possible	
Covered bike rack	Bike rack(s) shall be installed near a building's ground level entrance; have a minimum capacity of four bikes. Bike racks shall be covered and shall be compatible with a U lock, as recommended in the Juneau Non-Motorized Transportation Plan.	1 point per bike rack
Outdoor seating	Outdoor seating shall consist of at least one bench or one table and seat at least four people; be secured to the ground or building; be provided during the summer months, at a minimum	1 point per bench or table
Outdoor Planters or Landscaping	Outdoor planters or Landscaping shall span a minimum of 25 percent of the building right-of-way facing façade(s); contain live, non-invasive plant(s); shall be designed and located in a manner that does not interfere with site distance from public right-of-ways or pedestrian walkways, as determined by the director	1 point for every quarter of the building façade with planters or landscaping

(6) *Screening*. Screening is intended to preserve and enhance the aesthetic value of the Auke Bay Center by minimizing views of specific parts of properties or structures from streets, pedestrian walkways, or abutting properties when the specific part(s) of property or structure are located within 30 feet of a property line, public rights-of-way, or pedestrian walkway.

Structures to be screened	Standard	Points Earned
Above ground parking lots	Screening shall be four feet tall and shall consist of sight obscuring landscaping	3 points per parking lot

	or a sight obscuring fence or wall. Parking areas do not need to be screened from pedestrian walkways that intersect the parking area.	
Recycle and trash receptacles; above ground oil, gas, water or wood pellet storage containers; Freestanding utility, mechanical and electrical boxes	Screening shall be as tall as the structure or object being screened; shall consist of sight obscuring landscaping, a sight obscuring fence or wall, murals or other forms of public art, or other methods that meet the purpose of this section, as determined by the Planning Commission	1 point each

(7) *Preserving views of Auke Bay and Statter Harbor.* Preservation of the view is intended to protect the aesthetic value of private property by encouraging developers of structures greater than two stories to preserve the view(s) of Auke Bay and Statter Harbor from abutting properties, as determined by the planning commission.

Building Stepback	Points Earned
Every 25% reduction of the footprint of the ground floor.	8 points

49.70.1350 Using Bonus Points

(a) *Density Bonus.* The allowable density of dwelling units per acre may be increased based on bonus points earned. Density increase shall be rounded to the nearest whole number.

Bonus Points Needed	NC	MU3	WC
Standard Zoning	15 units per acre	30 units per acre	18 units per acre
8 points	17 units per acre	35 units per acre	21 units per acre
16 points	19 units per acre	38 units per acre	24 units per acre
24 points	21 units per acre	42 units per acre	27 units per acre
32 points	25 units per acre	50 units per acre	30 units per acre

(b) *Height Bonus.* Bonus points for increased height are not allowed in the Waterfront Commercial zoning district.

Bonus Points Needed	NC	MU3
0 points	35' / 25'	35' / 25'
6 points	45' / 35'	45' / 35'
12 points		55' / 45'

- (c) *Reduce minimum parking requirements.* The maximum allowed parking reduction in the Auke Bay Overlay District is 30 percent of the total number of parking spaces required for all uses on the site. Dimensional standards for parking and off-street loading in 49.40.210 shall apply.

Bonus Points Needed	Parking Reduction
0 points	Parking as required in 49.40
6 points	10% reduction
10 points	15% reduction
15 points	20% reduction
22 points	25% reduction
30 points	30% reduction

Section 3. Amendment of Section. CBJ 49.85.100 Generally, is amended to read:

(10) Board of adjustment.

- (A) Administrative variance, \$120.00;
- (B) Non-administrative variance, \$400.00;
- (C) Alternative development permit, \$400.00;
- (D) Auke Bay overlay district permit, \$400.00.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

- Thanks for all the amazing
- work you all are doing
- 2 comments
- 1) Access - please preserve
Sparkling Meadows + Trail
System - it is used year
round by hundreds of Genevieve
 - 2) Please preserve all
view sheds public + private
they are critical Thanks
Denise McPherson



COMMENT CARD

Could you get an architect to come
up with a digital image(s) of what
Hake Bay could look like in the future.
Buildings, setbacks, sidewalks, parking, view



COMMENT CARD

1st I do appreciate Allison's efforts to present the info & manage the attendees concerns.

Hand outs of your Power Point would be helpful to follow what you are trying to explain. This is all very complex for non-planners.

The majority of people in Aukebay do NOT want so much ↑↑ density as is currently allowed. The new zoning ↓ density BUT allows ↑ with the point system.

I would like to see no allowances to go up to 55'. 50 units/acre seems too much.

• Views are blocked by high building, shade is created, sun is blocked. Views make Aukebay special -

• 30-50' building take this away.



June 19, 2019

COMMENT CARD

The bonus points may be useful, BUT it is not fair to use the bonus points to allow increased HEIGHT when property owners behind the development loose a huge part of their property value, and ^{the} reason they live there.

Jack Hodge



COMMENT CARD

June 18, 2019

[Object] to using "points"
to allow developer to build
higher.

[Applaud] pedestrian friendly
planning

[Reject] absolutely cruise ships
in harbor.

Molly Hodges

From: [Molly Hodges](#)
To: [Allison Eddins](#)
Subject: Auke Bay zoning considerations
Date: Wednesday, June 19, 2019 10:08:28 PM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear Allison (and Alex),

Thank you for tonight's meeting. I appreciate how you field questions and address concerns with tact and candor while moving the agenda forward.

Nice that there is a means for the community's valid concerns and good ideas to be addressed as the proposed zoning changes are being drafted.

I did leave a few sketched recommendations on the orange card tonight, but thought of two additional ones.

- 1) I think the best incentive to encourage developers to seek points is a property tax incentive.
- 2) I also think that clear, accurate wording is of utmost importance. When CBJ says the height of a building is to be limited to x-amount of feet high, that is what it should be. As I understand it, it is not so. It is x-amount to mid- pitch. That's misleading, confuses the issue and is not helpful.

Molly Hodges
Auke Bay Station future resident



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CBJ Assessor's Office
STAFF PERSON/TITLE: Mary Hammond, CBJ Assessor
DATE: 6/14/2021
APPLICANT: CBJ
TYPE OF APPLICATION: Rezone proposal

PROJECT DESCRIPTION:

Proposed re-zone of Auke Bay Center. Areas within the Auke Bay Center that are currently zoned D3, D5, D10, D10 (T) D15 will become Neighborhood Commercial (NC); areas that are currently zoned Light Commercial, General Commercial and D15 will become Mixed Use 3 (MU3). The entire Center will have the Auke Bay Overlay District option.

LEGAL DESCRIPTION: Multiple lots
PARCEL NUMBER(S): Multiple parcels
PHYSICAL ADDRESS: Multiple addresses

SPECIFIC QUESTIONS FROM PLANNER:

1. Density would increase to a maximum of 15 units per acre in NC with a minimum density of at least one dwelling unit for commercial properties; density in MU3 would increase to a max of 30 with the same minimum density. How might this impact the value of property within the proposed rezone boundaries?

AGENCY COMMENTS:

Fully developed, these properties will have a higher value than they presently do. The proposed rezone boundaries are unlikely to reduce property values for any of the parcels within the neighborhood.

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Additional Materials for June 22, 2021 Special Planning Commission

ATTACHMENTS:

Description	Upload Date	Type
▣ Additional Materials for June 22, 2021 Special Planning Commission	6/21/2021	Miscellaneous

Additional Materials

Special Planning Commission Meeting

Virtual Meeting Only

6:00pm

Meeting Date: June 22, 2021

1. AME2015 0010:

- a. Public Comment – Rick & Lisa Currier, received 6.17.21
- b. Public Comment – Dave Klein, received 6.21.21

2. AME2020 0001:

- a. Public Comment – Rick & Lisa Currier, received 6.15.21

RECEIVED

JUN 17 2021

PERMIT CENTER/CDD

Rick and Lisa Currier
12020 Cross Street
Juneau, Alaska 99801

City and Borough of Juneau Planning Commission
155 S. Seward Street
Juneau, Alaska 99801

June 4, 2021

Dear Michael LeVine and Commissioners:

We, the residents of Tanner Terrace, again wish to register our opposition to the proposed rezoning of Auke Bay from the Glacier Highway roundabout to beyond the Spaulding Meadows Trailhead. We believe that the Neighborhood Commercial zoning designation, as proposed, is in direct opposition to the goals of the original Auke Bay Steering Committee and will drastically affect the property values of Tanner Terrace residences, our ability to sell our homes, and our quality of life.

This proposal has proceeded despite opposition from commercial property owners in the Auke Bay core, area residents, and the Tanner Terrace Property Owners Association. We have consistently attended the Auke Bay Ad Hoc Sub Committee meetings for over two years. We want you to note that the public comment has been overwhelmingly negative throughout the public process. During the January 23, 2021 Planning Commission meeting, all the public comments but one were in opposition, including input from Mr. David Klein, who was a member of the original Auke Bay Steering Committee. One wonders about the veracity of "government for the people" if the government ignores the people. Your litmus test should be: would you adopt the NC rezone proposal if it were to apply to your neighborhoods and if your homes would be suddenly deemed "non-conforming"?

Public input to the Auke Bay Steering Committee overwhelming emphasized preserving the unique marine views in Auke Bay. The "NC" zone designation will urbanize the views for upslope residents and destroy marine view sheds by encouraging development of high rise, high density buildings. We believe the public wants Auke Bay to emulate the pristine beauty of Camden, Maine rather than the urban congestion of Camden, New Jersey..

We ask that if Neighborhood Commercial rezone is adopted, that it exclude Tanner Terrace and the Spaulding Trailhead. To preserve our acadian setting, we would like a one hundred foot greenbelt along the back property lines on the upslope side of Cross Street.

Sincerely,

The Tanner Terrace Property Owners Association Members listed below:

copy to: Mayor Beth Weldon
Assembly, City and Borough of Juneau

Signature	Name

Signature	Name
<i>[Signature]</i> 3870 Bayview	G QUIGG
<i>[Signature]</i> 3865 SEAVIEW	VICKI VAN FLEET
<i>[Signature]</i> 3865 SEAVIEW	Jack Gitchell
<i>[Signature]</i> 12070 Cross St	Julie Flint
<i>[Signature]</i> 3870 Cross St.	Ron Flint
<i>[Signature]</i>	Joel Carpenter
<i>[Signature]</i> Carpenter	Heather Carpenter
<i>[Signature]</i>	Ann S. Doty 3866 SEAVIEW
<i>[Signature]</i>	Andy Meiners
<i>[Signature]</i>	Nico Ambrose (12065 Cross St)
<i>[Signature]</i>	MARK SCHWAN
<i>[Signature]</i>	Debi Ballam
<i>[Signature]</i>	Michelle Denton 3869
<i>[Signature]</i>	Steve Denton BAYVIEW Ave.
<i>[Signature]</i> Ann L. Canfield	ANN L. CANFIELD
<i>[Signature]</i>	Dylann Denton
<i>[Signature]</i>	Rebecca Young 12050 Cross St
<i>[Signature]</i>	Bryon Young 12000 Cross St.
<i>[Signature]</i>	Rick Carrier 12020 Cross ST
<i>[Signature]</i>	Lisa Carrier 12020 Cross St.
<i>[Signature]</i>	Anna Ambrose 12065 Cross St.
<i>[Signature]</i>	3875 Seaview Ave / J. Woodrow

RECEIVED

JUN 17 2021

PERMIT CENTER/CDD

From: Kleins Auke Bay <kleins@aukebay.org>
Sent: Monday, June 21, 2021 11:17 AM
To: PC_Comments
Cc: Theresa Abbas; Bruce Conant; Linda and Lawrence Lee Oldaker; George Reifenstein; Ron Flint; andy@ajmcpa.net
Subject: Comments on Auke Bay Area Rezone

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

My name is Dave Klein and I live at 12410 Glacier Highway in Auke Bay and have worked at the University of Alaska Southeast for over 23 years, most currently as the Associate Director of Campus Recreation.

I sat on the Auke Bay Steering Group drafting the Auke Bay Area Plan for over 2 years and am now active with the Auke Bay Neighborhood Association. Our group has not met due to COVID but much correspondence has taken place while not meeting in person.

It is my summation as an active community member, not as a collective voice of the AB Neighborhood Association, that existing neighborhoods need to be preserved, such as Tanner Terrace, Caroline Street, and the uphill portion of Glacier Hwy.

Many residents of Tanner Terrace have come forward to speak for their neighborhood. I choose to focus on the uphill portion of Glacier Hwy. as there are few family homes in this area with several being owned by the University being used for rental and or storage, so lack the collective voice of other neighborhoods.

The staff has proposed that the uphill portion of Glacier Hwy. be changed from its current zoning to Neighborhood Commercial-NC. I find this suggestion at odds with the goals of the Auke Bay Community during the planning process. The second goal of the Auke Bay community (pg. viii of Area Plan) states: *Pedestrians can move freely and safely throughout Auke Bay for recreation, education, enjoyment, or just destination linkages.* The homes in this area already face challenges accessing the road way due to traffic. To increase the density in this area would only increase challenges by those walking, biking and driving this area. If there was a bypass in the future that allowed those in vehicles to not drive this section of road I would then favor such a change in zoning. To increase density in this area now without changes in traffic patterns would not only jeopardize the safety of those living and working here but those traversing through, or when Auke Bay is their destination for shopping, eating or adventure.

Thank you for considering,

Dave Klein
12410 Glacier Hwy.

Rick and Lisa Currier
12020 Cross Street
Juneau, Alaska 99801

June 15, 2021

Mr. Michael LeVine and Members of the Planning Commission
230 South Franklin Street
Juneau, Alaska 99801

Dear Mr. LeVine and Commissioners:

Over the past several years we have written several letters describing the lane width and single, narrow sidewalk of the Tanner Terrace neighborhood, which is within the proposed Auke Bay Neighborhood Commercial rezone area. The thrust of our previous comments were that the Tanner Terrace streets are too narrow to support high density, mixed use buildings. On-street parking demands will increase if building parking requirements are reduced to earn bonus points for increased occupancy. Note that the only way to widen the streets would be to take frontage from existing Tanner Terrace property owners.

Verbal descriptions aren't as vivid as visuals. The attached photos show that oncoming vehicles cannot pass each other when a car is parked. Note that parking is seasonal, from April 1 to November 1, and parking is legal only on one side of the street.

Sincerely,

Rick and Lisa Currier



