

Public Comments on DRAFT CBJ Comprehensive Plan, 2013 Update

Comments Below Were Received Before 4:30 PM, February 14, 2013

Comments on Review Timeline:

~~the~~ Friday is too soon for written comments to be due. I have been diligent in my efforts & have barely scratched the surface.

I've completed my review of Chapter 1; Barely touched Chapter 4 and my husband spent some time on Chapter 12 so I have observations on that Chapter, but I need more time.

120K words ~~compared to~~ is a lot for the community to review in one wk's time.

I have been asked to request an extension of the review period for the new comprehensive plan update by numerous members of our association and board members. The staff has been paid to work on the draft plan for many months, while the public has only had a short time to review and make comment. It is unrealistic to ask the public to make meaningful comments on a 320 page document in this short of time. There are many changes proposed, how they will affect each industry, neighborhood, and the community needs more time to be decided.

I am asking on behalf of the Southeast Alaska Building Industry Association that the comment period be extended allowing for further review by the industries that will be affected by these proposed changes.

The comment deadline of 4:30 PM on Thursday, February 14, 2013 was only for inclusion in this summary of comments (additional summaries will follow as additional comments are received) and for presentation to the Planning Commission prior to their February 19, 2013 meeting. Comments will continue to be accepted throughout the review and adoption process. Please see <http://www.juneau.org/cddftp/DRAFTCompPlanReview.php> for the schedule of upcoming meetings and comment deadlines.

General or Organizational Comments:

Reviewing the Comprehensive Plan draft is difficult and confusing for citizens. The growth of the document has only added to complexity and difficulty to comprehend as one sentence will impact others that are difficult to find.

I suggest that the Comprehensive Plan be scheduled for a rewrite to eliminate the unnecessary verbiage and return it to a document of a size and scope that can be useful. It has experienced such mission creep that it has become useless.

Please reduce its size so that it will be possible to make understandable and perhaps even a useful document.

Commissioners- After spending more than a hour reading the plan I have come to the conclusion that it ill take hours to review this document. I further noticed that the plan was reviewed by several groups such as the Affordable Housing Commission, neighborhood associations, etc. However there is an apparent lack of review by private developers and builders. This is the very group that must work within the guidelines of this plan. I suggest that the commission send the plan back to staff with direction to request the Southeast Alaska Building Industry Association, private engineers and architect to review the plan, giving them at least 30 days to make their comments before the commission undertake the lengthy review of the proposed comp plan.

If the Chamber of Commerce is correct in that this proposed plan is 100 pages greater than Anchorage's plan I'm dumfounded how this could be? With less than 10 % population of Anchorage, less land mass, less industry, etc. how can this be possible?

As a builder in this community I must disagree with staffs comments that this is a update and not a rewrite. It has been reported that clarity was the main change. I disagree. I find several conflicting chapters, one says "highest and best use", the other says "preserve open space". When this happens it seems that staff has the option to pick and choose from the plan to support or deny a proposed development.

The complexity of the plan is too much. More time is needed to review a document of this size.

As President/CEO of Goldbelt, Inc. I felt that it was important for me to review the proposed changes to the comprehensive plan. Given that I am still relatively new to this position, I decided that I should become familiar with the plan in its entirety, particularly as it impacts our substantial ownership at both Echo Cove and West Douglas.

Imagine my dismay when I saw that it is over 300 pages long. Becoming familiar with the plan and assessing the impacts to Goldbelt and its shareholders would be no simple task.

With all due respect to those who have been involved in crafting this plan and its latest proposed revision, the plan is cumbersome at best. It contains many aspirational goals whose practicality and costs are not specified. It is a document that the vast majority of the populace can neither comprehend nor use in making personal economic decisions such as whether to start a business or develop a new subdivision. Indeed, are all of the aspirational statements accurate with respect to the majority of the citizens? How do we know these things?

Only those with the time, money and energy (and likely paid experts) to work through the process as set forth by this plan can hope to comprehend it and use it for decision making.

There are a number of things you might consider in improving the plan. For a start, you might set a goal of cutting the number of pages at least in half, tightening up the writing and considering again what the realistic scope of the document should be. This document should not be a millstone around the neck of those wishing to be a positive force for economic development, but rather a clear roadmap.

I have dealt with various strategic plans for many years and if I have learned one thing, it is that a 300 page plan cannot be executed because it cannot be clearly understood. Trying to come to grips with its complexity can only slow the process down and increase costs.

I recognize that the planning commission staff and commissioners may feel that they have a good grasp of the plan, its intent and how it should be implemented. But for the commissioners in particular, to the extent that you are not comfortable with your grasp of where this plan is headed, I suggest that you slow the process down and perhaps take a chapter by chapter approach to fine tuning this document.

Finally, I recognize that I may be viewed as late to this process and that the train has already left the station. But I am not new to planning and this is not an effective plan, regardless of where you may want it to take you. The adoption of a comprehensive plan should not be taken lightly as the policy implications are profound.

The comments above regarding the complexity and length of the draft Comprehensive Plan are indisputably accurate, and echo similar statements by Planning Commissioners, staff, Assembly members, and other members of the public.

The current draft update is only the latest in a long string of Comprehensive Plans that have been structured in essentially identical ways, from the 1984 version to the 1996, 2004, and 2008 updates. Over the last thirty years, as our community has grown, more and more information has been piled onto the original framework, resulting in a document that has been increasingly cumbersome with nearly every revision.

The current update process began in 2011, and was intended by the Assembly, city management, Planning Commission, and other CBJ staff to be a fairly simple update of data and “hard” changes (new infrastructure, Kensington mine opening, etc.). During the Planning Commission’s line-by-line review of the draft plan chapters, they asked for more substantial review and revision to several chapters, and the scope of the update grew significantly to the present draft update.

Although the Planning Commission, stakeholder groups, and staff have worked hard to reorganize and rephrase chapters so as to make the document more accessible, I believe that there is widespread if not universal agreement that this 2013 update will be the last in the line of CBJ Comprehensive Plans drafted on the 1984 framework. It is time to start again with a blank page and our basic goals and policies to guide us in drafting a new, strategic Comprehensive Plan.

That said, there are important changes proposed in the 2013 update that need to be adopted in order to enable long-awaited changes to our Land Use Code, CBJ 49, to provide for higher density development near transit lines with lower parking requirements and other trade-offs (Bonus Eligible Area map, Chapter 11). Accordingly, it

is important that the 2013 update continue its progress towards eventual adoption at this time.

Thanks very much for the feedback. Based on your comments regarding CBJ 49 I would certainly not object to the adoption of the revised plan provided that the assembly commits to the fresh start you describe below.

[Response to CBJ staff response above]

This is a grammatical suggestion. When listing three or more items in a sentence, there should be a comma immediately prior to the word "and".

For example: "... in close proximity to shopping, employment, cultural, and recreational facilities."



The "serial," "Oxford," or "Harvard comma," as it is known, is a punctuation option but is not mandatory. In some instances it eliminates ambiguity, and in others it induces it.

The plan is too detailed, wordy and repetitive in every chapter. The plan needs to be edited and reduced, by at least half, keep it simple. The plan should be a plan and refer to policy but should not be used as policy.

An example of wordiness is a paragraph in Chapter 4 page 33

Shelter costs (e.g. rent/mortgage, utilities, maintenance, and taxes) can easily exceed 50% of a household's gross income, leaving very little income for food, clothing, transportation, medical care and other living expenses.

For example remove "leaving very little income for food, clothing...." Feelings and fluff are not needed in a comprehensive plan. We know that may sound picky but there are too many instances of "feelings and opinions" in the document that are not relevant to the overall plan and make for a longer document

We are pointing this out in only one chapter to keep this email brief but we hope you get the point that we are trying to make.

As with similar comments above, your comment is well taken and generally agreed upon. Although much of the text describing "feelings and opinions" was struck from early drafts of the 2008 update before it was adopted, and others have been struck in this 2013 update, many such instances remain. Rather than postpone adoption of this update for a comprehensive edit of the draft, staff recommends that the next update to the Comprehensive Plan begin with a blank slate and only use the adopted plan as a guide and a starting place, not a template. The next update process will likely begin in 2015.

Listed by Chapter:

1. Introduction and Background

p 3- Community History, Alaska Natives have been here 10K yrs before the Euro-Americans arrived. We should take more care with how we represent that part of our History. They don't have "Tribes" or "chiefs". Those are conventions imposed on them. ~~There is e~~ I will submit a suggestion for alternative language for consideration. There is no way to include Kadiwa'ee (aka Kowee) without offending someone, so my version removes him from the story.

These suggestions will be forwarded to the Planning Commission for consideration.

p. 4 The ~~entire~~ entire paragraph beginning "The mid-eighties"... needs to be rewritten so the statistics agree with what shows in Chapter 4.

There are competing vacancy rates.

p. 4 says vacancy is less than 1% for all types of houses except multifamily apts, ~~p. 30~~ p. 30 Table 4.1 shows 5 yr average Vacancy Rates ~~is~~ very close to 5% or higher except for 1' bdrm multifamily. The US Census for 2010 says JNU's vacancy rate is 5.1%

~~600~~
~~1500~~
~~15~~
1.3
6
1.8
JEDC Economic Indicators show the # of Homes Sold / yr over the last several years & that ~~is~~ is well over 5% (from memory).

These suggestions will be forwarded to the Planning Commission for consideration.

p. 5 #2 5th line from the end, where it says
'"Juneau" in general.' You should add "which
is intended to include all of the communities
within the area."

This suggestion will be forwarded to the Planning Commission for consideration.

p. 9 The word "NOT" does not belong
in the Sidebar. This information IS or
SHOULD BE intended to ~~describe policy or~~
~~be used~~ considered when reviewing a project,
etc.

The purpose of the sidebars, as determined by the Planning Commission during discussion of Comprehensive Plan organization and formatting, is that they are to contain background information or explanations that inform Policies, Development Guidelines, Standard Operating Procedures, or Implementing Actions.

2. Sustainability
No comments received to date
3. Community Form

Land Disposal

I would like to see CBJ think more about leasing land, rather than disposing of it, as a way to create more affordable housing in Juneau. This would be especially appropriate for mobile home parks and other types of semi permanent dwellings.

The particular mechanisms of land management are not covered under the draft Comprehensive Plan, and have not been covered by previous editions of the Comprehensive Plan either. The CBJ Lands Management Plan (LMP) of 1999 is available at http://www.juneau.org/lands/documents/LandManagementPlan-1999Update_000.pdf. The LMP focuses on disposing of CBJ property through sale, but does mention that leases can be appropriate for some development, and notes that leases are authorized by municipal code. A new Implementing Action to investigate leasing, rather than selling, CBJ land may be appropriate and will be suggested as a possibility to the Planning Commission and Affordable Housing Commission.

Comments, Concerns, Questions:

Proposing ^{standards} Less stringent for D-10, D-15, D-18.

Allow higher Bldg heights.

Allow higher percentage of Lot Coverage with Bldg.

Decrease minimum vegetative coverage %.

Allow decreased parking requirements for properties directly served by bus service.

Revise subdivision standards for tracts of land served by sewer + water.

Decrease Set Back Requirements.

All of the suggestions listed above relate to CBJ 49, the Land Use Code, and not to the Comprehensive Plan (CBJ 49 is a tool used to implement the Policies of the Comprehensive Plan). Staff recently sponsored changes similar to those listed for commercial zones (LC, GC, as well as MU2), with increases of 10' to the maximum height limit in those zones and substantial changes to the maximum density limits in those zones as well. These changes were supported by the Comprehensive Plan, and similar changes may be appropriate for some of the multi-family residential zones listed, while others may affect community character too much for the community to support.

Following the adoption of the 2013 Comprehensive Plan, staff will bring draft ordinances allowing for "bonus provisions" that will affect many of the items listed, such as parking requirements, height limits, vegetative cover requirements, setback requirements, and more.

The following points to the overall plan are based on our desire for Quality of Life in Juneau. We have children and grandchildren living here, we want affordable home ownership for them, not the opportunity to rent an apartment in a high density housing unit, but a place to call their own, to grow in and have an investment that grows, for them not a developer.

1. The plan reads as if we were developing Portland or Seattle. People do not come Alaska or remain in Juneau to live in High Rise buildings surrounded by lighted walkways and lit areas where you can't look out your back door to see the northern lights or the stars. Parents are not looking for a pocket playground several stories below so they can take their kids to play on the weekend, they want a small piece of land and home to call their own where their kids can play out the back door while they cook dinner. We oppose any city regulations that require expensive and unnecessary rural and suburban subdivision development to the detriment of affordable housing.
2. We encourage the city to reduce regulations to allow more rural development of property, people should have the choice to live on a chip sealed or dirt road, with septic and wells if that is what they choose. Much of Juneau was developed that way and as growth has occurred property owners could choose to get on the grid so to speak as the utilities developed. Thank goodness that we had the opportunity to build on the Back Loop Rd and have a septic system until the sewer system reached our area 15 years later. We have to stop looking at every parcel as potential high density housing. High density housing is not healthy Alaska living.

The Community Form chapter describes how Juneau must provide a mixture of housing types, environments, and urban forms. There are many people with a wide variety of ideas of where they want to live in terms of the built environment, and the plan attempts to capture that need and to provide for forms from rural to urban, with many variations between (single family residential neighborhoods, multi-family neighborhoods, and various mixtures of uses). The plan aims to focus development along existing urban services (water, sewer, transit) so as to reduce the cost of each unit, and to make residences and destinations (jobs, school, shopping) closer together for those who desire to live in such areas. The Urban Service Area Boundary adopted in 1971 aims to focus development within a defined area so as to reduce development and maintenance costs. Outside that area, property can still be developed at a rural level, and indeed it cannot be developed more densely because sewer must be disposed of on-site beyond that boundary, which requires larger lot sizes. Thus, both the adopted and draft plan would also “oppose any city regulations that require expensive and unnecessary rural and suburban subdivision development to the detriment of affordable housing.” The question, then, is what level of infrastructure development is necessary for given levels of development? The required level of infrastructure (paving, curbs, gutters, sidewalks, street lights, etc.) is determined through a public process and adopted by the Assembly as ordinances (primarily with CBJ 49, Land Use, although also in other CBJ ordinances) that must be consistent with the Comprehensive Plan.

The Comprehensive Plan identifies different parts of the borough for various types of development in the Land Use Maps (Chapter 11). Relatively little land is identified for high density housing; in fact, the HDR (High Density Residential) land use designation appears in the land use designation descriptions, but does not appear on a single map. All of the land that is identified for high-density housing is in a commercial or mixed-use designation (such as TTC – Traditional Town Center).

3. We encourage the City to review its land holdings for future sales to private ownership. We encourage the city to develop a plan for small, ¼ acre to medium, 1 acre lot development of property owned by the city. We encourage this to be done in a manner that remains affordable and does not include strict subdivision rules, such as sidewalks, making it affordable to develop. The lots could only be purchased by individual property owners and not contractors or investors. In the recent past the residential properties along Glacier Hwy above Auke Bay have been sold to UAS. These properties worth millions of dollars were removed from the property tax base. This continues to be a problem in Juneau with City, State, Federal lands in a no tax basis. Releasing City owned land into private ownership adds properties back into City revenues, helping to reverse the removal of properties into tax free status and provides more land at affordable prices.

The CBJ has conducted extensive research and planning on this very topic. Please see <http://www.juneau.org/clerk/ASC/LC/Hill%20560/Switzer.php> and <http://www.juneau.org/clerk/ASC/LC/Hill%20560/PedersonHillAccessStudy.php> for studies of how two priority areas might be developed. These two properties were selected after a thorough review of all CBJ-owned properties to determine which were the most “buildable”: this study is available at <http://www.juneau.org/clerk/ASC/LC/Hill%20560/CBJComprehensivePlanUpdate2006.php> and is highly recommended reading, given the suggestions you make above regarding CBJ land disposal.

6. Basically in a nutshell, stop trying to complicate things, make it easier do business, quit tightening rules that discourages home ownership. Keep your planning of Portland type living to downtown and the areas close around it and leave the valley as rural as it can be left. Stop trying to force growth in Juneau, what's wrong with the population as it is? We don't really need to have a community of 50,000 residents.

Recently-adopted changes to the Land Use Code, CBJ 49, include provisions that allow "bungalow" subdivisions with smaller lots (50% of normal lot size requirement) and a limit on the size of the home that can be built on these small properties, with the intent of facilitating home ownership. Bungalow lots must be on public sewer, so they will not impact rural areas, but can help provide housing in existing neighborhoods and newly developed areas.

Mixed-use and high-density land development patterns are constrained by the Land Use Maps (Chapter 11) to areas around traditional community centers (Douglas, downtown Juneau, around the Nugget and Mendenhall Malls, and the Auke Bay village). These designations are not intended to force growth but to plan for the impacts of growth and existing pressures on our housing stock and infrastructure.

4. Housing Element

p. 30 Table 4.1

FIVE Years Vacancy Rates
s/b SIX years

These are rental stats and rentable
Single family houses & should be clearly
marked as such

Vacancy's for owned properties should
be easily represented by number of homes
sold per year (JEDC Economic Indicators)
The assessor's office should know how
many of these sold properties

These suggestions will be forwarded to the Planning Commission for consideration.

1. From the SOP section: I believe the below procedures point to the lack of urgency and immediacy that will be necessary to move our community from talking about solving the housing crisis to actually solving it. Monitoring, and then focusing efforts, are vague non-action oriented verb statements that are fine, but I do not believe are enough to address the issues. I guess in this case, my comment would be a desire for more direct language that spells out an active plan that will not be misconstrued or overlooked. And on the second clause below (SOP3), it should say something like, "Once an adequate supply is reached, the CBJ government should seek..." To say that we should be facilitating new production at a rate that mimics growth implies that the problem is in keeping up, when in reality, our population is growing slowly but we are already significantly behind.

4.2 - SOP2 The CBJ government should monitor the inventory of all types of housing and should focus efforts, funding and resources on producing the types of housing that have not yet reached a sufficient supply to meet demand.

4.2 - SOP3 The CBJ government should seek and facilitate new housing production, for all types, at an annual rate that mimics the growth rate of new households in Juneau, in order to maintain adequate choice of residence type, location, and cost.

These suggestions will be forwarded to the Planning Commission for consideration.

2. I was very happy with the frank appraisal given regarding the vacant buildings downtown:
"The loss of safe and habitable rental dwelling units within the compact downtown due to owner disinterest is damaging to the community's housing stock and contributes to the housing crisis as well as to the blight of downtown Juneau.
Abandoned dwellings and deteriorating dwellings in the Downtown Historic District and nearby

older, historic neighborhoods threaten the health, safety and well-being of those neighborhoods. As property owners defer maintenance and avoid investments in their properties, the structures thereon deteriorate and adjacent properties may become more vulnerable to fire and vandalism due to the presence of the attractive nuisance of an abandoned building. Securing financing for normal maintenance and repair of the neighborhood's occupied dwellings becomes more costly to the homeowner due to the financial institution's perception of blight associated with the nearby abandoned building. Unless and until the community achieves a healthy vacancy rate, all habitable dwellings are valued and needed and uninhabitable units should be rehabilitated or replaced."

However, I think it would be valuable to include possible manners to encourage action by the CBJ or community to rehabilitate or bring those back into the housing stock. It was brave to identify the problem, but I think action will need to come from, or at least need to be guided by/approved by the city, and so would support some inclusion of possible resolution for that issue in the Comp Plan.

[The two comment boxes above are both for one comment, but were split due to formatting constraints]

These suggestions will be forwarded to the Planning Commission for consideration.

Introduction brings necessary attention to “affordability” being important to ALL, regardless of income level or housing preference.

Pg. 30

Source of data, 2010 Juneau Housing Needs Inventory, is out dated. Current info available from 2012 report.

Breakdown of vacancy rates important to show where the highest needs are regarding housing type.

Pg. 31 misspelling: population

Pg. 34 Figure is very confusing. Presents as broad categorization of groups being locked in one wage range...

Confusing: “According to 2000 Census data, 83% of the total year 2000 housing units were built from 1960 to March 2000. Only 17% of the residential units were 60 years or older. This is generally considered “sound” housing stock.”

Pg. 35 Source of data 2010 JHNA report...should use 2012 data

Pg. 44 Should be done more often, every 2-3 years...

“4.1 – IA6 Support and encourage the Affordable Housing Commission and JEDC to update the Housing Needs Assessment Report at **least every five years** and monitor change in housing conditions and assess whether policies, programs, guidelines and other mechanisms are achieving their objectives.”

These suggestions will be forwarded to the Planning Commission for consideration.

5. Economic Development

1. What is meant by ‘sustainable development’ of the AJ Mine Property?
2. Where did the idea of a ‘5-year’ action plan related to the AJ come from?
3. As currently written do you believe the draft Chapter states that the CBJ will evaluate and pursue, if appropriate, the development of the AJ Mine for mineral extraction?
4. There are other mining properties being evaluated by various parties within the boundaries of the CBJ. Do you think draft Chapter adequately addresses the CBJ’s intent to support the development of those mining properties?
5. Since the opening of the Kensington there has been an extensive positive impact on the economy in Juneau and the property and sales tax to CBJ. Has this been evaluated sufficiently in this Chapter including what needs to be done to continue to support our natural resource economy?
6. Policy 5.16 does not refer to the potential further development of the AJ-Mine as a job and tax revenue creator. Is this an oversight?

1. *This term is not defined, and would therefore be open to interpretation by future Assemblies.*
2. *The Planning Commission asked staff to involve JEDC in the review and revision of Chapter 5. Working with UAS, the JEDC board drafted suggested changes to the chapter that were discussed during the June 16, 2012 COW meeting. The Planning Commission chose to retain this suggested language.*
3. *The Comprehensive Plan is not capable of committing the CBJ to a particular course of action; it is used as a guiding policy document. So, if the Assembly continues to direct staff to move toward developing the mine, the*

Comprehensive Plan will support that, per Policy 5.13 and its supporting statements. If the Assembly does not pursue development of the AJ Mine, this will not be “inconsistent” with the Comprehensive Plan, but a political (and presumably economic) decision.

Additionally, staff’s job is to compile comments and suggested changes and to present those to the Planning Commission, but not personally suggest substantial changes except where information is lacking or inaccurate, our personal beliefs regarding the outcome of any policy in the plan are somewhat irrelevant. This comment applies to many of your questions, and is not meant to be dismissive of your concern, but rather to recognize staff’s ultimately rather small part in the process of drafting and adopting the Comprehensive Plan.

4. *As the Comprehensive Plan is a guiding document, it defines the intent of the CBJ. So if the intent is to more actively promote, or conversely to oppose and restrict, then that intent is what is adopted in the Comprehensive Plan. That is, the Comprehensive Plan should address the CBJ’s intent, whatever that intent is. If you believe that the Comprehensive Plan should provide more support for the mining industry than it does, please submit suggested changes or comments.*
5. *Policy 5.16 does not refer to any particular CBJ investment, but development of the AJ Mine could be supported by this policy. The policy was intended to be much more general than to focus on a particular project, so omitting the AJ from mention was neither an oversight nor intentional – it is simply “out of scope” of the policy (more detailed than the policy).*

1. Page 75, second paragraph, there is a sentence that begins: “Employers must recognize this impediment to their operations...”. What employers is the draft plan referring to and what is this statement based on? Has their been some study that indicates that employers don’t recognize the impact of the housing shortage on their businesses?
2. I don’t see a citing for footnote 4 on page 75. What is the source for that assertion?
3. What is the source for the information and assertions made about innovation and entrepreneurship? What finding or other public process led to including this section?
4. What is the source for the information and assertions made about Environmental and Resource Development? What finding or other public process led to including this section?

1. *This was suggested at least twice during the June 19, 2012 Committee of the Whole (COW) Planning Commission meeting with JEDC and UAS staff. Staff does not believe that it was meant as an indictment or statement that some employers fail to recognize this, but as a simple statement of fact that employers must recognize it in order to be successful.*
2. *For some reason (good catch, by the way), both footnote 4 and footnote 5 were printed with the label for footnote 1 on the following page. Footnote 4 is from the 2012 Benchmarking Report, Alliance for Biking and Walking. “Economic return on investment” is, in this case, referring to the number of jobs created per \$1 million spent.*
3. *The Planning Commission asked staff to involve JEDC in the review and revision of Chapter 5. Working with UAS, the JEDC board drafted suggested changes to the chapter that were discussed during the June 16, 2012 COW meeting. The Planning Commission chose to retain this suggested language.*

4. *The Planning Commission asked staff to involve JEDC in the review and revision of Chapter 5. Working with UAS, the JEDC board drafted suggested changes to the chapter that were discussed during the June 16, 2012 COW meeting. The Planning Commission chose to retain this suggested language.*

6. Energy

Energy

See page 156 8.8 IA21. Juneau is blessed to be in an area generally suitable for the use of ground source geothermal heating. Priority should be given to the use of ground source geothermal over biomass for two reasons. First, ground source geothermal is carbon neutral and, therefore, is better for air quality and reduction in green house gases. Secondly, ground source is a way to forestall conversion to electric heat, thereby extending the capacity of our hydro resources. I suggest the AEL&P and CBJ explore a low interest loan program that would provide the capital needed for home conversions to ground source and make its use in new construction more likely. The loan could be paid back over the time period in which the difference between petroleum based heating and ground source pays for itself.

The Comprehensive Plan should also encourage micro generation of hydro power that could, under current state regulations, be sold to AEL&P thereby adding to our hydro power resources.

Page 156, 8.8 – IA21 relates to upgrading North Douglas Highway for safety improvements, and does not mention energy.

The top paragraph refers to prioritizing “ground source geothermal over biomass,” which is related to 6.2 – IA2: “Promote conservation from fossil fuel heating systems to geothermal, biomass, or biofuel systems...”

The last paragraph refers to micro-hydro generation, which is related to 6.6 – IA6 “Amend the Land Use Code, CBJ49, to create a new land use category for small-scale energy production facilities...so that they are not held to the same permitting requirements as industrial-scale energy production facilities.”

7. Natural Resources and Hazards

what info available for stream set-backs etc.?

Development setbacks from cataloged anadromous fish streams (salmon streams) are required in the Land Use Code, CBJ 49.70.310 and .950(f), (g), and (h). These setbacks are regulatory tools that have been adopted in order to achieve the goals and policies of the Comprehensive Plan, including 7.1, 7.2, 7.3, 7.4, 7.7, 7.8, and 7.11, as well as 5.9 and 5.14.

I would like to see responsible timber harvesting in the Tongass

The Tongass National Forest is owned and managed by the United States Forest Service. The City and Borough of Juneau has minimal regulatory authority and no management authority in the Tongass.

Noise

We looked at the deletion to 7.10 SOP3, which now says "should this volunteer program [of noise abatement] not satisfy noise concerns of the public, a local noise control ordinance should be developed to require mandatory controls and measurable and enforced mitigation measures per 7.10.1A1." The side note says this language should be deleted because "This would not be legal, per AS 34.75.030." But this is flat wrong. AS 34.75.030 restricts municipal noise regulations of certain facilities under certain circumstances, and "facilities" is defined as "sport shooting facility or a private airport facility." (AS 34.75.090(2)), and applies only to existing shooting ranges and private airports, not to such facilities created after passage of a noise control law (AS 34.75.010(a)(1). Moreover, the same statute states, "Except as otherwise provided in this chapter, a municipality may regulate the noise level produced by a facility."

So the rationale for the proposed deletion is simply wrong; with only minor exceptions, i.e., existing private airports that have a grandfathered exemption, a municipality may pass and enforce local noise control ordinances.

There is a related problem with the proposed additional language to 7.10 SOP2, in which the intent of the proposed changes appears to be to limit requiring noise abatement devices such as berms and plantings to noise sensitive areas where the CBJ owns the roadway. Now it applies to all roadways and is explicit about state roadways. There is no reason that the CBJ should limit requirements for noise abatement features to city-owned roads when there is such a mix of city and state roads within the Borough. The problem is not preemption of state highway projects, as such features may be applied to adjoining properties regardless of ownership, and since the state, in conjunction with the Federal Highway Administration, routinely follows local noise regulations unless there is some specific authority and reason for it not to do so.

Regarding 7.10 – SOP3, staff agrees with your analysis and retracts the recommended deletion of the referenced sentence.

Regarding 7.10 – SOP2, staff disputes the supposed intent of the proposed changes. The new language acknowledges that the CBJ must own a roadway in order to regulate it; similarly, the state Department of Transportation and Public Facilities only manages roadways that they own, and the CBJ's regulatory authority is extremely limited on state rights-of-way. No substantial change to the existing language is proposed; the proposed changes are intended to improve clarity and readability only.

designed to:
+ noise

This comment is not explicit enough for staff to interpret its author's intent.

- noise addressed in comp plan
helicopter
seaplane
bus
- hazard areas in subd. land along ?
Glacier Hwy
v-notch
land slides

These comments are not explicit enough for staff to interpret their author's intent.

8. Transportation

I'm all in favor of light rail
between the valley and downtown,
with a couple of stops at places ^{(with} parking
along the way.

Although light rail or other fixed-guideway transit systems can be very attractive, exciting projects, they are very expensive to construct. As an interim solution, the CBJ Transit Development Plan, available at <http://www.juneau.org/capitaltransit/pdfs/adopted2.pdf>, as well as the Comprehensive Plan, call for improving bus service through modification or expansion of the express or "trunk" line. See Policy 8.5 and 8.5 – IA2 through IA9.

4. Stop pushing the bike as transportation. For the majority of Juneau residents it is not feasible, desired or practical. Yes there are a small number who can use biking on a regular basis, for most people it doesn't work. Parents and daycare and kid's going to school and life's activities just don't allow for biking as transportation, recreation yes, but not transportation. We won't even mention the weather problems. And yes we have tried biking. The bus system hasn't changed in the last thirty years, except for finally building a place for the drivers to take a break and use the restroom as every other employee of CBJ has had the right to have. Develop a plan that really encourages bus use. Park and ride, a smaller bus, like a shuttle bus every 15 minutes round trip from town to the valley, would make vast improvements and could be something that may be very successful.

There are several policies in the adopted and draft update that are directly related to this comment:

Policy 8.5 To promote a balanced, well-integrated local multi-modal surface transportation system that provides safe, convenient and energy-efficient access and transport for people and commodities.

Policy 8.6 To promote and facilitate transportation alternatives to private vehicles as a means of reducing traffic congestion, air pollution and the consumption of fossil fuels, and to provide safe and healthy means of transportation to all people.

Policy 8.8 To respond to the special transportation needs of each subarea of the CBJ and to integrate them into a borough-wide comprehensive transportation plan. This system should seek to reduce the consumption of fossil fuels by facilitating efficient routes of travel, convenient and rapid transit, and safe motorized- and non-motorized travelways.

These policies do not “push the bike as transportation,” but they support the development of a transportation network that provides alternatives and choices for all people, on a location-appropriate basis. In more rural areas, a bicycle may not be a very comfortable or practical way to commute due to distances between trip origins and destinations (e.g. home and work); in more urbanized areas, such as between Douglas and downtown Juneau, a bicycle is an entirely practical means of transport on a regular basis. Ensuring that adequate facilities are in place to support walking, biking, and transit use improves the practicality of relying on these means of transportation, offering people additional viable options for their travel needs.

The CBJ is in the process of negotiating a contract with the firm Nelson\Nygaard for an update to the Transit Development and Transit Improvement Plans; this project will also include a Comprehensive Operational Analysis of the existing system to ensure that it is operating as efficiently as possible.

9. Parks, Recreation, Trails and Natural Area Resources

5. We may have missed this point, but we did not see in the plan for more recreation area development along the Glacier Hwy road system. There are so many opportunities for camping, picnicking and outdoor activities along the water and inland out the road. More areas need to be improved for restroom facilities, garbage receptacles, overnight and day use. Not all Juneauites can afford boats and this area is perfect for improvements for access to the water and the recreation it provides.

The Parks and Recreation Comprehensive Plan (http://www.juneau.org/parkrec/documents/Finalasrevised12-2007_000.pdf) addresses specific subarea needs for recreation; some of these projects are listed in the subarea discussions in Chapter 11 of the Comprehensive Plan. Subareas 1 and 2 include projects such as those that you suggest.

10. Land Use

Comments relevant to this chapter are located under: 3. Community Form; 4. Housing Element; and elsewhere. No direct comments on this chapter received to date.

11. Land Use Maps

+ why aren't maps showing update changes

There are no changes to land use designation boundaries in this update; only select land use designation names (labels) and the extent of one New Growth Area on West Douglas are proposed as changes.

Auke Rec
FP on map - no description
of what that means

You are absolutely correct – great catch! In the 1984 update, the Auke Rec area had no land use designation applied to it; the area was first designated as “FP” (Federal Park) in the 1996 update to the Comprehensive Plan. The designation “Federal Park” has never been defined or described in the Comprehensive Plan (1996, 2003, and 2008 updates). Staff will recommend that the Planning Commission add a very brief description of this designation to Chapter 11:

“Federal Park (FP) Federal Parks are public lands owned by federal agencies and managed for recreational use.”

This designation only applies to the Auke Rec and Lena Cove areas.

Reviewing the history of this designation also caught that “SP” (State Park) is not described or defined in the draft update – or its predecessors. Staff will recommend that the Planning Commission add a very brief description of this designation to Chapter 11:

“State Park (SP) State Parks are public lands owned by state agencies and managed for recreational use.”

This designation only applies to areas at Bridget Point, Eagle Beach, Shelter Island (near Handtroller’s Cove and Halibut Cove), and Amalga Harbor.

Request our lots back to TTC (commercial)
Property was used as Gun Sales before Building Shop
Shop around 1981 - shop 24x4x12

[1st St. in Douglas]

Properties along both sides of 1st St. in Douglas at the south end of the street are designated as “M/MU” (Marine Mixed Use) in the draft maps, as they are in the adopted 2008 maps. Both the TTC (Traditional Town Center – draft 2013 maps)

and the MU (Mixed Use – adopted 2008 maps) designations, which abut properties along this portion of 1st St., are very similar to the M/MU designation, with the exception that residential densities may be higher in TTC (18 dwellings/acre or more, compared to 10-60 dwellings/acre in M/MU) and marine-related services are favored in the M/MU designation. Under either the M/MU or TTC designation, appropriate zoning districts might include multi-family residential zones, but Mixed Use (MU and MU2) or Commercial (LC, GC, and WC) zoning districts would be most appropriate under the land use designations. Currently, the properties along the water side of 1st Street near the harbor are zoned WI (Waterfront Industrial) and those along the uphill side are zoned GC or LC.

As it turns and gets further from the harbor, 1st St. enters an area designated as MDR (Medium Density Residential), which is zoned D-18 (18 multi-family dwellings per acre). Most commercial uses are not permitted in this residential zoning district, nor does the MDR designation support commercial or industrial uses in this area.

Downtown/Willoughby District

The vitality of Juneau as the capital city rests on the vitality of downtown. One of the most significant steps we can take in this regard is to greatly increase housing in the downtown area, meeting the needs of a range of people who prefer to live in a walkable community. I support the efforts made to increase housing density allowances in the downtown and to redevelop the Willoughby District. There are challenges to achieving the goals in both the Comp Plan for downtown and the Willoughby District. However, CBJ should be willing to become partners with private interests to move ahead. I particularly support use of the financial tools in Chapter 7 of the Willoughby District Plan and encourage other tools, such as tax incentives, property tax deferrals and low interest loans to achieve a more aesthetic and culturally relevant look to downtown and to increase the mix of residential and commercial uses.

Downtown is plagued by vacant and blighted buildings, underused spaces and an excess of vacant office. I encourage the Comp Plan to address the use of condemnation and differential property taxation to encourage renovation or demolition and rebuilding of downtown buildings. Further, I would encourage a look at possibly zoning the South Franklin corridor as a special business zone in which property assessments reflect its use for tourism and seasonal business and keep those assessments from inflating those of other buildings in downtown.

Downtown had for a period of time in the mid 1980s a "ride free" circulator bus which ended when federal funds expired. I believe the Comp Plan should work in concert with the upcoming CBJ Transit Plan to identify routes for a fixed guideway circulator to encourage transit oriented development in the downtown and Willoughby District. A circulator will make distant parking more feasible. As an implementing measure for reducing congestion and encouraging residential development, I also would suggest that CBJ work with the federal GSA to develop a federal parking garage that would provide spaces not only for federal employees (freeing up on street parking in the flats) but also for state employees and local residents. Having a parking structure where developers or renters could lease parking spaces would encourage residential development in the Willoughby District.

The SLAM will be a wonderful "anchor" to redevelopment of the Willoughby District. But it is not enough. CBJ should assure that the "super blocks" are broken up and that an additional exit to Egan Drive is developed to move traffic. The new streets would be a good route for a circulator.

A revitalized downtown needs to link the downtown core with the Willoughby District. I urge that CBJ consider using cruise ship revenues to install a covered motorized access at the Fifth Street stairs. An outdoor elevator, escalator, tram or similar conveyance is found in many cities (e.g., Quebec City,

Istanbul) to connect parts of town at different heights. Such a convenience would make it easier for tourists to go from the Capital Building to the SLAM and would make Juneau a more walkable city.

[The four comment boxes above are all for one comment, but were split due to formatting constraints]

Many of the suggestions above are discussed in the draft 2013 Comprehensive Plan, as well as in the currently-adopted 2008 Comprehensive Plan. Policies 8.5, 8.6, and 8.8 are particularly applicable, and 8.8 – IA3 and IA5 are directly related to downtown Juneau. Guidelines and Consideration #13 for Subarea 6 (Chapter 11) also discuss and supports many of the items suggested above.

West Douglas

I do not support the development of West Douglas because, despite the standards for a "stand alone" community, this development would undoubtedly contribute to sprawl and increased traffic on the North Douglas Highway which is not designed for additional traffic. If developed, I am sure it would precede a Bench Road completion and would endanger current users (pedestrians, children, bicyclists, etc.)

This suggestion will be forwarded to the Planning Commission for consideration.

New Housing Area

The Comp Plan does not address the suitability of using uphill land in the first half mile to mile of the North Douglas Highway for higher density housing. If the Bench Road were built and an easement used

to access the North Douglas Highway, the uphill properties, some of which I believe belong to CBJ, could, when suitable, be developed as close to town housing. A great deal of work would need to be done to assess whether this is possible, but I believe it would be wise to start this exploration now. If some of the land belongs to CBJ, CBJ could lease it rather than disposing of it and, thereby, reduce the cost of housing.

[The two comment boxes above are both for one comment, but were split due to formatting constraints]

The area described is designated as “MDR” (Medium Density Residential), which is intended for development at densities of 5-20 dwellings per acre. This area is designated as “ULDR (T) MDR” (Urban Low Density Residential (Transitioning) to Medium Density Residential) in the currently-adopted 2008 Comprehensive Plan. Public water and sewer have recently been extended to serve these properties, and many properties have already been re-zoned to allow higher density development.

In my review of the CBJ Comprehensive Plan, I noted that Chapter 11, Map E on page 14 and Map F on page 15 do not accurately identify all land between Glacier Highway, Auke Lake, and the Back Loop Road belonging to UAS as IPU. I attach the most recent and current information from our Master Plan: Figure 2.3 Juneau Auke Lake Land Use Diagram from page 10 of the Master Plan. The plan is currently before the Regents for review and adoption.

The IPU (Institutional and Public Use) designation is appropriate for some UAS-owned land, but not all of it. For example, the main campus, with offices, library, classrooms, research facilities, residential dorms, food service, etc. is an “institution” that should be within an IPU designation. Other UAS-owned properties, such as those where the University plans on developing or selling property for residential development, should be designated for residential or other appropriate uses.

12. Public and Private Utilities and Facilities

Water Plan

The Comprehensive Plan has sections on Water Quality and Watersheds. The cBJ recently adopted a document called a “drinking water plan” which does not, in fact address water quality or watershed needs. I strongly advise developing a more detailed section which addresses the maintenance and replacement needs of Last Chance Basin, as well as the additional infrastructure that will be required to develop filtration and distribution of Salmon Creek water, set some standards for sale of water, and provide for more appropriate data collection regarding water quantity and quality.

The Drinking Water Plan referenced is available at [http://www.juneau.org/engineering/AJ_MINE/documents/Municipal_Drinking W](http://www.juneau.org/engineering/AJ_MINE/documents/Municipal_Drinking_W)

[ater Supply Plan COW 12 3 12.pdf](http://www.juneau.org/engineering/AJ_MINE/documents/Final_Res_2620.pdf); the adopting Resolution is at [http://www.juneau.org/engineering/AJ MINE/documents/Final Res 2620.pdf](http://www.juneau.org/engineering/AJ_MINE/documents/Final_Res_2620.pdf). Water quality and watershed needs are discussed in the Watershed Control and Wellhead Protection Program: Gold Creek Source (at <http://www.juneau.org/cddftp/documents/WatershedControlandWellheadProtectionProgramGoldCreekSource.pdf>), and the Last Chance Basin Management Plan (at <http://www.juneau.org/cddftp/documents/LastChanceBasin-1994.pdf>) which have both been adopted by ordinance as part of the Comprehensive Plan. The Drinking Water Plan, which was adopted by resolution, is legally subservient to and should promote the goals and policies of the two related documents that are adopted as part of the Comprehensive Plan.

First, I want to thank the CBJ for including the regulation of wireless communications facilities (WCFs) in the proposed 2013 comprehensive plan updates. Despite federal limitations on local zoning powers, I believe some regulation is possible at the local level. Also, such regulation is prudent given the World Health Organization's 2011 classification of wireless radiation as a Class B carcinogen (possibly carcinogenic to humans). See http://www.iarc.fr/en/media-centre/pr/2011/pdfs/pr208_E.pdf . That said, I have the following suggestions for amendments to the proposed draft.

1. In the introductory language, delete "unknown" before "health risks". The perception of health risks is based on studies of wireless transmitters that are quite specific about the health risks---increases in cancer rates, depression, nausea, difficulties in concentrating, etc. within 300 - 400 meters of WCFs. See <http://www.biointitiative.org> . I understand that the CBJ does not want to take a position on the health issue, but the language already hedges that bet by referring to "perceptions" of health risks. Adding "unknown" is unnecessary and , given the specificity of the studies, inaccurate.

This suggestion will be forwarded to the Planning Commission for consideration.

2. Development Guideline 12.11-DG1: Delete "encourage" and insert "require", and delete "to the extent possible" and insert "except as technically necessary for adequate coverage." The only reason for locating WCFs where they will have adverse effects on the community should be technological necessity.

This suggestion will be forwarded to the Planning Commission for consideration.

3. Add a new 12.11-DG3 as follows: "Provide certainty to the wireless industry that WCFs will be allowed in designated locations, and provide certainty to the community that WCFs will not be allowed in other locations." The ultimate purpose of a WCF master plan should be (1) to assure the wireless industry that it will be able to install WCFs in places that will provide adequate coverage, without having to fight the community WCF-by-WCF; and (2) to assure members of the community that they will not have a WCF installed next to their residence unless their residence abuts a WCF zone. My husband and I are in the process of downsizing, but when we discuss buying a home, a major consideration is the possibility that a WCF could be installed nearby and we would have to sell our home. This possibility makes renting a lot more attractive. I think that providing certainty to landowners and the wireless industry is an adequate justification under federal law. For instance, zoning laws typically prohibit industrial operations in residential areas, not necessarily because of the environmental or health effects of industrial operations---some of which can be quite clean--- but because they are not appropriate in residential areas, and landowners need the certainty that inappropriate uses will not be allowed next to their homes just as industry needs to know that it will have places to locate without opposition. The same is true of WCFs.

This suggestion will be forwarded to the Planning Commission for consideration.

4. 12.11-IA6: Delete "encourage" and insert "require" and delete "preferred". The reason for this change is explained in #3 above, namely that WCFs should be confined to designated areas.

This suggestion will be forwarded to the Planning Commission for consideration.

5. 12.11-IA7: I have mixed feelings about hiding WCFs. While I can understand why people want to hide them, I personally want to know where they are so I can avoid them. I suggest either deleting this provision, or adding another that would read "Every owner of a WCF shall disclose the location of the WCF to the CBJ, which will post the locations on the CBJ's website."

This suggestion will be forwarded to the Planning Commission for consideration.

PAGE ²⁶⁴~~259~~ OF DRAFT/10-30-12 EDITION: "Wireless Communications Facilities"
 The opening paragraph implies that "Towers" cannot be regulated due to restrictions by the TCA of 1996. This is misleading AND WRONG! A Tower is a structure AND DOES NOT EMIT ANY RF WAVES. Section 332(c)(7) OF THE TCA IS CALLED "PRESERVATION OF LOCAL ZONING AUTHORITY", THE TCA DOES NOT REGULATE "TOWERS" BUT IS CONCERNED WITH PERSONAL WIRELESS SERVICES OR FCC LICENSED WIRELESS CARRIERS. TOWERS LIKE OTHER STRUCTURES IN JUNEAU, CAN BE REGULATED BY THE CBJ. Section 332(c)(7)(A) OF THE TCA: "NOTHING IN THE TCA SHALL LIMIT OR AFFECT THE AUTHORITY OF A STATE OR LOCAL GOVERNMENT OVER DECISIONS REGARDING PLACEMENT, CONSTRUCTION OR MODIFICATION OF PERSONAL WIRELESS FACILITIES."
 IF THE COMP PLAN IS "NOT ABSOLUTE" THEN THE NARROWLY CONFINING AND INCORRECT LANGUAGE AS PROPOSED SHOULD BE REMOVED OR CORRECTED.

These suggestions will be forwarded to the Planning Commission for consideration.

Please consider my comments relating to the new WCF section proposed for the Comp. Plan as shown on page 259 of the online draft.

Wireless Communications Facilities
 Wireless Communications Facilities (WCFs), also commonly known as "cell phone towers" (although WCFs include many more types of facilities than just cellular phone and data equipment), are an increasingly common sight in Juneau. Although these structures can have a profound impact on views, and are perceived by some members of the community as undesirable or as potential sources of unknown health risks, these facilities enable on-demand communications for residents, visitors, and emergency services. Local regulation of WCFs is restricted by federal law (the Telecommunications Act of 1996, in particular), so some concerns cannot be addressed in local regulations.

- The opening paragraph (above) **incorrectly** combines WCFs with "towers" or "structures", then at the end it states that local regulation of WCFs is restricted and "some" concerns cannot be addressed. While this proposal makes regulation convenient for some it is confusing and denies due process and or the rights of others by ignoring Section 332(c)(7)(A) which clearly states that, except as provided for in Section 332(c)(7), nothing in the TCA shall limit or affect the authority of a State or local government over decisions regarding the placement, construction, and modification of personal wireless facilities. Section 704(a)(7)(B)(iv) prohibits the regulation of a personal wireless service facility on the basis of **radio frequency emissions**, and towers/poles cannot emit RF radiation! The Telecommunications Act does not regulate "towers." Towers are tall structures that have been regulated by CBJ prior to the Telecommunications Act of 1996. The Telecommunications Act is concerned with personal wireless services or FCC-licensed wireless carriers not the structures they are attached to.
- I've been told by staff that the Comp Plan is a "not absolute" document. If that is true then the absolute and incorrect language in this new WCF section (or subsections) should be removed or accurately display what the TCA of 1996 states. If the CBJ and the PC wants to give away ALL CONTROL over the wireless industry, this proposed language will do that quite well. But I'm pretty sure that is not what any of us want.
- Since June of 2008, [ALMOST 6 YEARS AGO] myself and others have been asking CBJ to develop a Wireless Plan but both the CBJs guided and unguided efforts since then have yielded nothing substantial. As we've said many times there are consultants that can be hired to assist if needed. I also believe that if the CBJ is ever able to actually draft and adopt any WCF regulations, they belong in the Muni code, not the Comp Plan.
- Most of the remainder of these draft WCF proposals below are requirements that would have been a good start 5 years ago before the recent [and anticipated] flurry of tower construction. Hopefully we can make some sensible and accurate progress before the next round of construction. 12.11-1A5 is language that was NOT applied when the opening statement for this section was written.

These suggestions will be forwarded to the Planning Commission for consideration.

13. Community Services

No comments received to date

14. Community Education and Services

No comments received to date

15. Cultural Arts and Humanities
No comments received to date

16. Historic and Cultural Resources
No comments received to date

17. Community Development
No comments received to date

18. Implementation and Administration
No comments received to date