


MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 9, 2013

TO: Planning Commission

FROM: Ben Lyman, Senior Planner
Community Development Department 

FILE NO.: AME2012 0006

PROPOSAL: A Text Amendment of CBJ 49 to adopt the *Comprehensive Plan* Update of 2013.

The City and Borough of Juneau Code states in CBJ §49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the *Comprehensive Plan*.

ATTACHMENTS

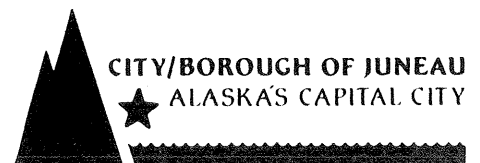
Draft 2013 *Comprehensive Plan* of the City and Borough of Juneau

Attachment	A	Chapter Change Matrix
Attachment	B	2013 <i>Comprehensive Plan</i> Land Use Designations and Zoning Districts
Attachment	C	Errata sheets for maps: .01, 8.1, 8.2, 11.22, 11.23, 12.1
Attachment	D-1	Appendix E- Public Comments Received for February 2013 Draft Update
	D-2	Appendix E- Public Comments Received for May 2013 Draft Update
Attachment	E	Draft Ordinance adopting the 2013 <i>Comprehensive Plan</i>

BACKGROUND

The proposed ordinance would adopt the 2013 Update to the *Comprehensive Plan of the City and Borough of Juneau*.

The 2013 Update to the *Comprehensive Plan of the City and Borough of Juneau* (the *plan* or *Comprehensive Plan*) was considered by the Planning Commission during a series of public meetings in 2012 and 2013. During the review and update process, the Planning Commission, staff, and members of the public raised concerns or suggested updates that exceeded the original scope of the review, which was intended to be a minor and routine update. Due to the substantial changes to the *Comprehensive Plan* that were recommended by the Planning Commission during the update process, the entire draft update was published for public review and comment on the proposed changes in February 2013.



The Planning Commission reviewed the February draft update (orange cover) following public outreach and solicitation of comments on the draft, and a revised draft for review and Planning Commission recommendation to the Assembly was published in May 2013.

The Draft 2013 Update to the *Comprehensive Plan* is the product of over two years of effort by CBJ staff, Planning Commissioners, members of the public and stakeholder groups. The *Comprehensive Plan* is a living document that attempts to account for historical trends and future projections while establishing City and Borough of Juneau Policy on a wide range of topics. Many changes to the 2008 *Comprehensive Plan* are proposed, and these changes are understandably of interest to members of our community. Although the proposed changes are available for review (see following paragraph), the entire Draft 2013 Update to the *Comprehensive Plan* is proposed for adoption, and text that remains unchanged from the 2008 *Comprehensive Plan* is just as important to our community's future as is newly proposed text. Accordingly, the Draft 2013 Update to the *Comprehensive Plan* shows only proposed final language.

All of the draft changes to the text of the *Comprehensive Plan*, both deletions and additions, are shown in the *Review Draft Showing All Proposed Changes to Text*. This review version of the Draft 2013 Update to the *Comprehensive Plan* does not include the Table of Contents, Index, maps, charts, tables, or sidebars included in the version that accompanies this memorandum for recommendation to the Assembly for adoption. This version is not attached to this staff report but can be found on the CBJ web site at <http://www.juneau.org/cddftp/documents/2013DRAFTCompPlanforPCRecommendationtoAssemblywithALLEDITS-ChangeReviewDOC.pdf>

Members of the public and policy makers alike have requested an explanation of how to “get the big picture in only 20 minutes.”

- Review the chapter title on the Chapter Change Matrix (Attachment A) or in the list of substantial changes below:
 - If any topics of interest are in an orange box (Attachment A), you'll probably want to review these sections.
 - If a topic you are interested in doesn't clearly appear in a Chapter Heading, look for topic keywords in the Index.
- Focus on Policies, then on Standard Operating Procedures (SOPs), Development Guidelines (DGs), and Implementing Actions (IAs) – these are “where the rubber meets the road”, and provide direction to the CBJ government. Discussion, tables, graphs, and sidebars are there to provide context and background but are not enforceable.
- Although proposed changes are important, the entire plan will be adopted and in effect until the next update – it is just as important that unrevised text is accurate and reflects our community's values and needs as it is that new text meets those thresholds. So don't just focus on changes – review topics of interest in their entirety, and understand that the Plan may support investigating multiple options related to a single topic.

Each chapter was revised as determined to be necessary during the review process, with some chapters seeing only minor or insubstantial changes, and other chapters being significantly re-written, re-organized, or populated with new data. The most substantial changes in each chapter are summarized below and in Attachment A.

Chapter 1. Introduction and Background
Revised Community History section

Chapter 2. Sustainability
New reference to Resolution 2593 and the *Juneau Climate Action and Implementation Plan*; and,
New/revised IAs under Policy 2.1

Chapter 3. Urban Form
New discussion of the *West Douglas Conceptual Plan*

Chapter 4. Housing Element
New and updated data and charts;
Reorganized for readability; and,
Substantially re-written by the Affordable Housing Commission

Chapter 5. Economic Development
New and updated data and charts;
Reorganized for readability;
Revised discussion throughout;
New sections and/or Policies on: Federal Government; Commercial and Industrial Development; Reduce Housing, Health Care, and Transportation Costs; Juneau as a Center for Entrepreneurship and Innovation; Juneau as an Environmental and Resource Development Research and Education Center; and, Reduce Leakage;
New Policy 5.7 supporting the Juneau School District; and,
Revised/new/deleted IAs, SOPs, and DGs throughout

Chapter 6. Energy
New and updated data and charts;
Reorganized for readability;
New references to the *Juneau Climate Action and Implementation Plan*;
and,
Revised/new/deleted IAs throughout

Chapter 7. Natural Resources and Hazards

New and updated data; and,
New Policy 7.19 on taking an active role in protecting community interests through engaging with the state and federal government regarding flood hazard mapping and policies

Chapter 8. Transportation

New and updated data and charts;
Reorganized for readability;
New Policy 8.2 on encouraging competition between commercial air carriers;
New discussion of relationship between Transit and Land Use; and,
Revised/new/deleted IAs, SOPs, and DGs throughout

Chapter 9. Parks, Recreation, Trails and Natural Area Resources

Revised/new/deleted IAs and SOPs under Policy 9.1

Chapter 10. Land Use

New Policy 10.14 on reserving sufficient public lands to support development of needed public facilities; and,
Revised/new/deleted IAs, SOPs, and DGs throughout

Chapter 11. Land Use Maps

Changes to some Land Use Category names;
New descriptions of State and Federal Park (SP and FP) designations;
Elimination of Transitional (T) designations from Land Use Maps;
New Bonus Eligible Area Map;
Reduced size of New Growth Area on West Douglas at Hilda Point (Map S);

Chapter 12. Public and Private Utilities and Facilities

New and updated data and discussion;
Sections and Policies on Waste relocated from Chapter 6;
Sections and Policies on Hazardous Materials relocated from Chapter 7;
New section and Policies 12.9 and 12.10 on Rights-of-Way and Roads;
and,
New section and Policy 12.11 on Wireless Communications Facilities

Chapter 13. Community Services

New and updated data and discussion; and,
Revised/new/deleted IAs and SOPs

Chapter 14. Community Education and Services
New and updated data and discussion;
Revised/new IAs and SOPs;
New section and Policy 14.3 on Child Care

Chapter 15. Cultural Arts and Humanities
New and updated data and discussion; and,
Revised/new IAs and SOPs

Chapter 16. Historic and Cultural Resources
New IAs and SOPs

Chapter 17. Community Development
New IAs

Chapter 18. Implementation and Administration
Revision to Policy 18.2 regarding frequency of *Comprehensive Plan*
Update

Appendix A: Glossary
Updated

Appendix B: Anadromous Waters Catalog
Updated to 2012 Alaska Department of Fish and Game *Anadromous Waters Catalog*

Appendix C: Acronyms and Abbreviations
Updated

Appendix D: Index
New

Appendix E: Public Comments [published separately from the *Comprehensive Plan* as Attachment D to this memorandum]
New

The changes to each chapter and their significance are also summarized in the Chapter Change Matrix, Attachment A.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

Comprehensive Plan Contents

POLICY 18.2 IT IS THE POLICY OF THE CBJ FOR THE PLANING COMMISSION TO UNDERTAKE A GENERAL REVIEW OF THE COMPREHENSIVE PLAN ONCE EVERY TWO YEARS, AND TO MAKE RECOMMENDATIONS TO THE ASSEMBLY TO AMEND

IT AS NECESSARY TO REFLECT CHANGING CONDITIONS AND NEEDS AND TO CONSIDER AND ENACT AMENDMENTS TO THE PLAN AND LAND USE MAPS, INCLUDING AMENDMENTS TO THE URBAN SERVICE AREA BOUNDARY, AT ANY TIME THE PLANNING COMMISSION AND ASSEMBLY DETERMINE THAT AMENDMENTS ARE NEEDED.

POLICY 18.3 IT IS THE POLICY OF THE CBJ FOR THE PLANNING COMMISSION TO UNDERTAKE A FULL UPDATE OF THE COMPREHENSIVE PLAN AT LEAST ONCE EVERY TEN YEARS AND TO MAKE RECOMMENDATIONS TO THE ASSEMBLY TO AMEND IT AS NECESSARY.

POLICY 7.4 IT IS THE POLICY OF THE CBJ TO ADOPT THE MOST RECENT ALASKA DEPARTMENT OF FISH AND GAME (ADF&G) INVENTORY OF ANADROMOUS STREAMS FOR USE IN REVIEWING DEVELOPMENT PROPOSALS ON LAND CONTAINING WATERBODIES.

7.4.IA1 Annually adopt by Ordinance or Resolution the most recent list of anadromous streams pursuant to the ADF&G annual or biannual inventory entitled *Waters Important to Spawning, Rearing, or Migration of Anadromous Fishes – Southeast Region*. Update the CBJ's GIS database and mapping layers and the CBJ Open Space Resolution as additions or corrections are made to the list. The CBJ should post the adopted updated list on the CBJ website.

7.4.IA2 Concurrently with adoption of the ADF&G annual or biannual inventory of CBJ anadromous streams, revise the Land Use Code 49.70.310(a)(4) to state "Within 50 feet of the banks of streams designated as anadromous by the most recently CBJ adopted inventory of anadromous streams listed by the Alaska Department of Fish and Game."

Discussion

The last process to update the *Comprehensive Plan* was initiated in 2006, with the update completed and adopted in 2008. Since that time, new and updated data has been collected, and many other aspects of the local, state, national, and global realms have changed dramatically, from economy and finance to national security and the environment. Although the 2013 update, which began in 2011, is behind the schedule set by Policy 18.2, this delay reflects the reality of conducting a thorough review and update to the *Comprehensive Plan* while providing time to enact changes called for in the plan between updates.

During discussions of the 2013 update, Planning Commissioners and staff agreed that the two-year review cycle called for in Policy 18.2 is not reasonable, given the amount of staff and commission time that an update requires. Time between updates is also required in order to enact the contents of the updated plan. Accordingly, the Planning Commission and staff recommend that Policy 18.2 be revised to read:

POLICY 18.2 IT IS THE POLICY OF THE CBJ FOR THE PLANNING COMMISSION TO INITIATE A GENERAL REVIEW OF THE COMPREHENSIVE PLAN TWO YEARS

AFTER THE ADOPTION OF THE LAST UPDATE, AND TO MAKE RECOMMENDATIONS TO THE ASSEMBLY TO AMEND IT AS NECESSARY TO REFLECT CHANGING CONDITIONS AND NEEDS AND TO CONSIDER AND ENACT AMENDMENTS TO THE PLAN AND LAND USE MAPS, INCLUDING AMENDMENTS TO THE URBAN SERVICE AREA BOUNDARY, AT ANY TIME THE PLANNING COMMISSION AND ASSEMBLY DETERMINE THAT AMENDMENTS ARE NEEDED.

The 2008 update was a very thorough update to the 1995 plan, but was still based on the framework of the 1984 plan. During the 2011-13 update process, it became clear to staff that the community has outgrown the format developed for the 1984 plan. Staff proposes to undertake a planning process for the 2015 update that will result in an entirely new plan that builds on the goals, policies, and strengths of Juneau's rich planning history while sharing a cohesive vision for the community and a strategy for achieving that vision over the plan horizon.

Appendix B of the *Comprehensive Plan* (2008), Creeks, Rivers and Lakes with Anadromous Fishery Resources in the CBJ, has not been updated since it was adopted in 2008. The Alaska Department of Fish & Game (ADF&G) published an updated inventory of anadromous waters in 2012; another update is scheduled for release in July of 2013, but ADF&G's staff report that there are no proposed changes to the inventory of streams within the City and Borough of Juneau in the 2013 catalog. The draft ordinance adopting the 2013 *Comprehensive Plan* Update also amends CBJ 49.70.310(a)(4) as called for by 7.4.IA2.

Findings

The draft 2013 Update to the *Comprehensive Plan of the City and Borough of Juneau* is compliant with the 2008 Update to the *Comprehensive Plan of the City and Borough of Juneau*; where the timing of the 2013 update is not consistent with the timing of updates called for in Policy 18.2, changes to Policy 18.2 are proposed that would enable future updates to be conducted with a reasonable frequency that both ensures a relatively up-to-date plan and adequate time between updates to dedicate resources to implementing the plan.

COMPLIANCE WITH CBJ LAND USE CODE

Title 49 Contents

The following sections of Title 49 have been examined to determine whether or not the proposed ordinance is in compliance with the Code:

49.05.200 - Comprehensive plan.

- (a) *The City and Borough comprehensive plan is designed to lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks and other public requirements.*

- (b) *The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.*
- (1) *Plan adopted. There is adopted as the Comprehensive Plan of the City and Borough of Juneau, that publication titled "The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2008 Update," including the following additions:*
- (A) *The Juneau Coastal Management Plan, dated 1986, as amended through December 1990;*
- (B) *The Downtown Historic District Development Plan, dated December 1981; provided that the proposed district boundaries shall be those established by the assembly under a separate ordinance;*
- (C) *The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended;*
- (D) *The Last Chance Basin Land Management Plan, dated May 1978, updated November 1994;*
- (E) *Watershed Control Program - Salmon Creek Source, dated April 1992;*
- (F) *Watershed Control and Wellhead Protection Program - Gold Creek Source, dated November 1994;*
- (G) *Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997;*
- (H) *Juneau Non-Motorized Transportation Plan, dated November 2009;*
- (I) *2010 Downtown Parking Management Plan; and*
- (J) *Chapter 5 of the Willoughby District Land Use Plan, dated March 2012.*
- (2) *Changes, corrections, and interpretations. Reserved.*
- (c) *No rights created. The goals and policies set forth in the comprehensive plan are aspirational in nature, and are not intended to commit the City and Borough to a particular action, schedule, or methodology. Neither the comprehensive plan nor the technical appendix adopted under this section nor the amendment of either creates any right in any person to a zone change nor to any permit or other authority to make a particular use of land; neither do they constitute a regulation of land nor a reservation or dedication of privately owned land for public purpose.*

49.10.170 - Duties.

(a) *Comprehensive plan review. Once every two years the commission shall undertake a general review of the comprehensive plan and shall recommend appropriate amendments to the assembly. Proposed map changes shall be reviewed on a neighborhood or community basis as directed by the planning commission.*

...

(d) *Development code amendments. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezonings, indicating compliance with the provisions of this title and the comprehensive plan.*

49.75.120 - Restrictions on rezonings.

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.

Discussion

The *Comprehensive Plan* is an aspirational document that sets goals and policies that can be worked towards through various implementing actions. Changes to municipal ordinances, including Title 49, the Land Use Code, must be reviewed against the *Comprehensive Plan* for consistency with the adopted plan. Accordingly, revisions to the *Comprehensive Plan* may not be in keeping with existing ordinances, as the necessary process is to amend the *Comprehensive Plan* before amending municipal code to be consistent with the plan.

Findings

The 2013 Draft *Comprehensive Plan* of the City and Borough of Juneau is an aspirational document that will guide changes to municipal ordinance, including Title 49. The draft ordinance adopting the 2013 *Comprehensive Plan* will also amend Title 49 as needed to account for the new plan. The proposed ordinance therefore complies with the Land Use Code to the greatest extent practical.

RECOMMENDATION

Staff recommends that the Planning Commission complete its review of the 2013 Draft *Comprehensive Plan* of the City and Borough of Juneau and forward the draft plan to the Assembly with a recommendation for adoption.

**2013 Comprehensive Plan Update:
Chapter Change Matrix**

Not for Adoption

Chapter (Color below relates to changes in Chapter overall)	New, Deleted, or Revised Policy	New, Deleted, or Substantially Revised SOP, DG, or IA at Policy	New or Revised Data, Table, Chart, or Map	Re- Organized for Clarity (Internal to Chapter)	Minor Revision or Substantial Revision* to Discussion	Policy moved from or to other chapter	Theme(s) or Purpose(s) of Revision(s) (Color below relates to changes in Chapter overall)
1 – Introduction and Background	N/A	N/A	Yes	No	Minor	N/A	Replace Community History text
2 – Sustainability	No	2.1	No	No	Minor	No	Update from 2008
3 – Community Form	No	No	No	No	Minor	No	Update from 2008
4 – Housing	No	4.1	Yes	Yes	Substantial	No	Update from 2008
5 – Economic Development	New: 5.3; 5.7; 5.12; 5.16; 5.17; 5.18; 5.19; and 5.20 Changed: 5.9	5.1; 5.3; 5.5; 5.6; 5.7; 5.8; 5.9; 5.11; 5.12; 5.13; 5.14; 5.16; 5.17; 5.18; 5.19; and 5.20	Yes	Yes	Substantial	6.10 to 5.15	Update from 2008; Support diversification of and support for economic drivers
6 – Energy	Changed: 6.1	6.1; 6.2; 6.3; 6.4; 6.5; 6.6; 6.10; and 6.12	Yes	No	Substantial	6.10 to 5.15; 6.11 to 8.7; and 6.14 to 12.6	Update from 2008

Chapter (Color below relates to changes in Chapter overall)	New, Deleted, or Revised Policy	New, Deleted, or Substantially Revised SOP, DG, or IA at Policy	New or Revised Data, Table, Chart, or Map	Re-Organized for Clarity (Internal to Chapter)	Minor Revision or Substantial Revision* to Discussion	Policy moved from or to other chapter	Theme(s) or Purpose(s) of Revision(s) (Color below relates to changes in Chapter overall)
11 – Land Use Maps	N/A	N/A	Yes – Bonus Eligible Area map; New Growth Area on Map S reduced	No	Substantial	N/A	Update from 2008; Revise some Land Use Designations to eliminate duplication between Zones (CBI 49) and Land Use Designations; Reduce size of New Growth Area at Hilda Cove; New Bonus Eligible Area map
12 – Public and Private Utilities and Facilities	New: 12.9; 12.10; and 12.11 Changed: 12.3	12.4; 12.7; 12.8; 12.9; 12.10; and 12.11	No	No	Substantial	6.14 to 12.6; 7.19 to 12.7; and 7.20 to 12.8	Update from 2008; Relocate all references to Waste to this chapter; New section on Rights-of-Way; New section on Wireless Communications Facilities
13 – Community Services	No	13.2 and 13.3	No	No	Minor	No	Update from 2008

Chapter (Color below relates to changes in Chapter overall)	New, Deleted, or Revised Policy	New, Deleted, or Substantially Revised SOP, DG, or IA at Policy	New or Revised Data, Table, Chart, or Map	Re-Organized for Clarity (Internal to Chapter)	Minor Revision or Substantial Revision* to Discussion	Policy moved from or to other chapter	Theme(s) or Purpose(s) of Revision(s) (Color below relates to changes in Chapter overall)
Appendix C – Acronyms and Abbreviations	N/A	N/A	N/A	No	Minor	No	Add undefined terms, remove unused terms, revise as needed
Appendix D – Index	N/A	N/A	New	N/A	Substantial	No	Improve readability and utility of Comprehensive Plan
Appendix E – Public Comments [Not for Adoption]	N/A	N/A	New	N/A	Substantial	No	Provide record of public comments received

**Substantial Revision*: a revision that changes the intent or scope of the original language.

Color Key for Change Matrix:

Least substantial changes	Moderately substantial changes	Most substantial changes
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2013 Comprehensive Plan Land Use Designations¹ and Zoning Districts

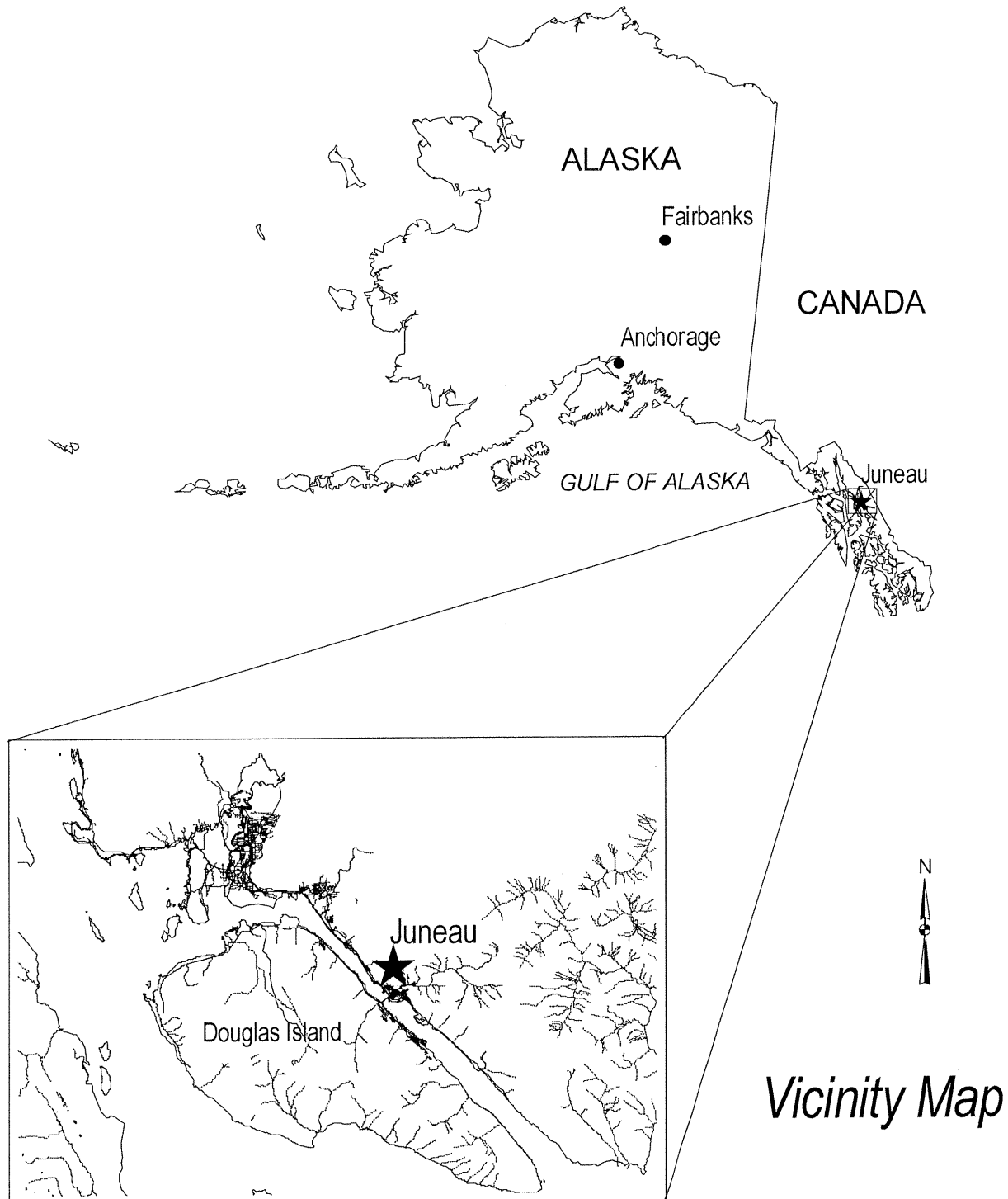
The land use zoning districts are across the top of the chart and the comprehensive plan land use designations are listed in the left-hand column

Not for Adoption

	RR- Rural Reserve	D-1	D-3	D-5	D-10 Single Family	D-10 Multi- family	D-15 Multi- family	D-18 Multi- family	MU- Mixed Use	MU2- Mixed Use 2	LC-Light Commercial	GC-General Commercial	I-Industrial	WC- Waterfront Commercial	WI- Water front Industri al
Resource Development (RD)															
Rural Dispersed Residential (RDR)															
Rural/Low Density Residential (RLDR)															
Urban/Low Density Residential (ULDR)															
Medium Density Residential (MDR)															
Medium Density Residential – Single Family Detached (MDR/SF)															
High Density Residential (HDR)															
Traditional Town Center (TTC)															
Marine Mixed Use (M/MU)															
Commercial (C)															
Light Industrial (LI)															
Heavy Industrial (HI)															
Marine Commercial (MC)															
Waterfront Commercial/Industrial (WC/I)															

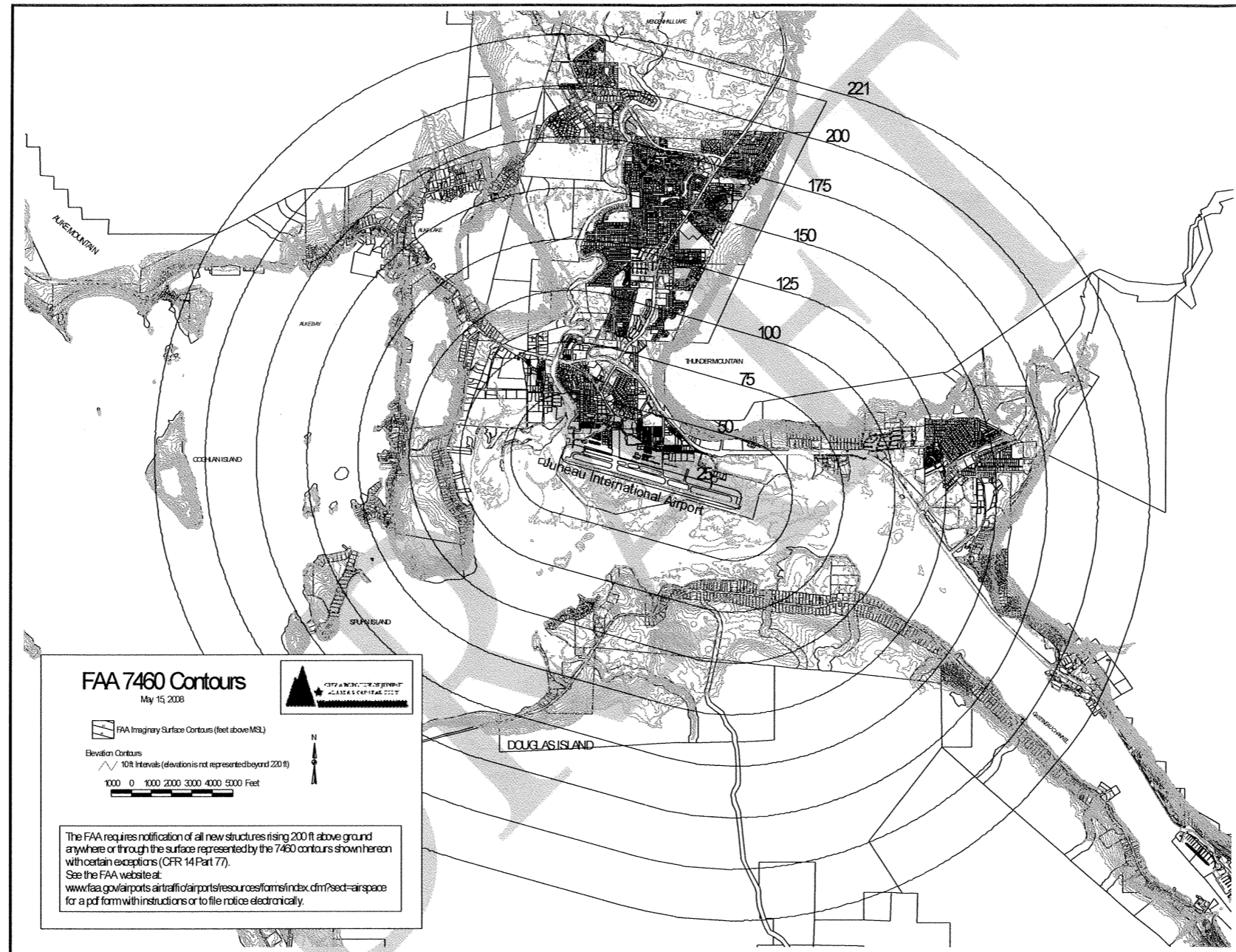
¹ Not all of the Comprehensive Plan Land Use Designations are listed in this chart; only Designations commonly associated with private ownership are listed.

Comprehensive Plan City & Borough of Juneau



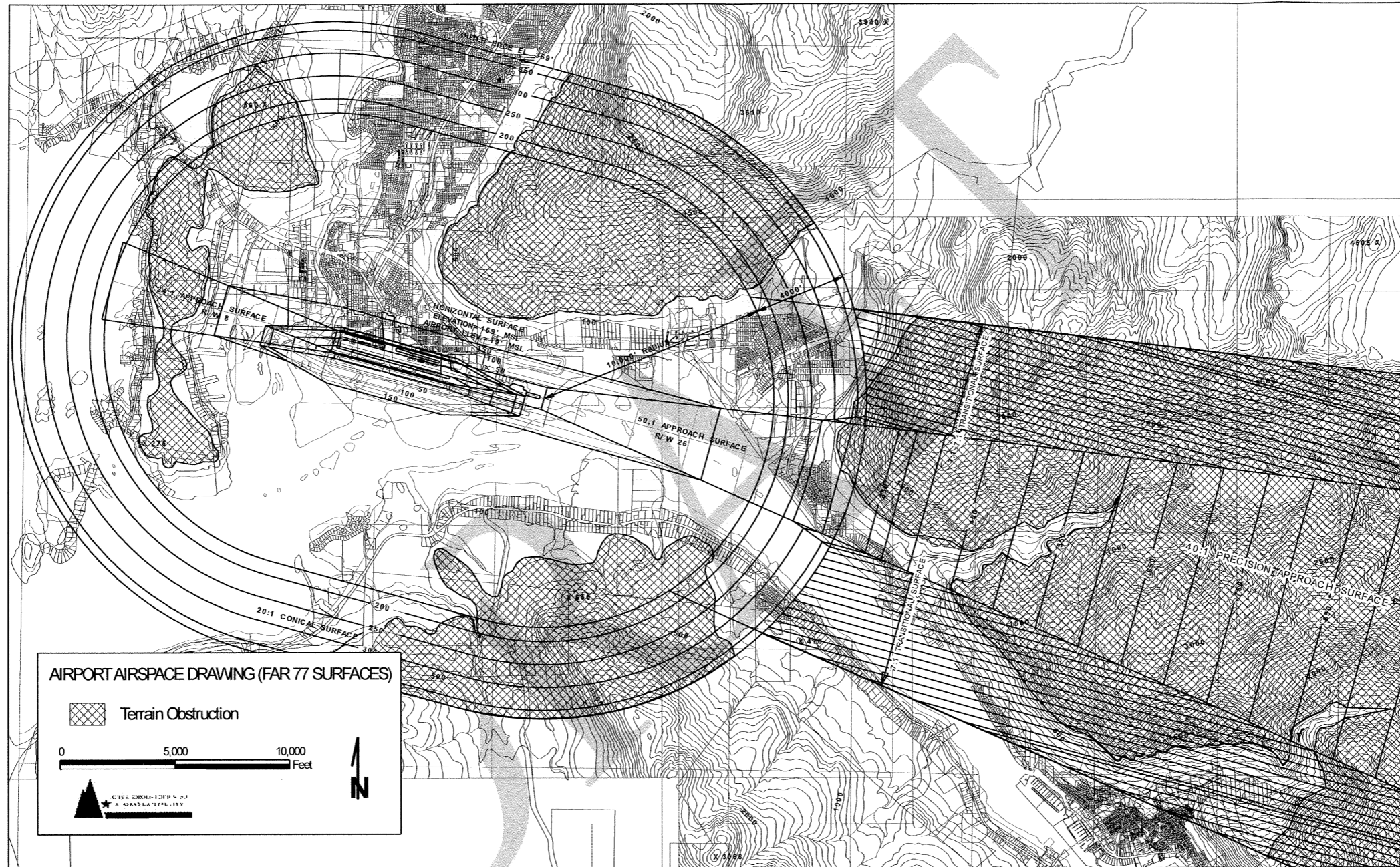
Map .01

Attachment C



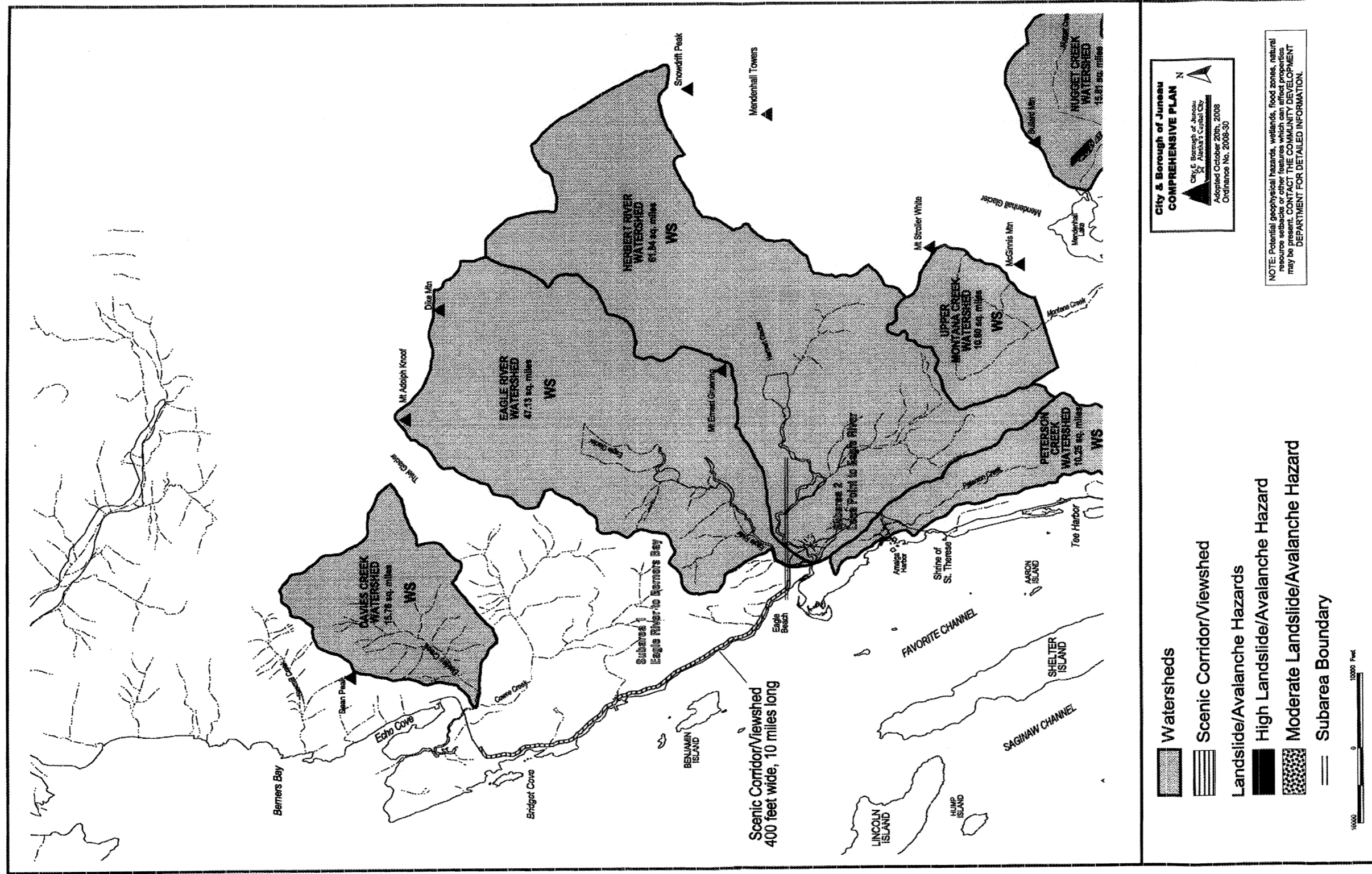
Prepared by: Community Development Department

FAA 7460 Contours Map – The contours on this map do not account for the expanded Runway Safety Area; FAA restrictions apply to larger areas at the east and west of the runway.



Prepared by the City and Borough of Juneau Community Development Department
 July 10th, 2008

Airport Airspace Drawing (FAR 77 Surfaces) – The contours on this map do not account for the expanded Runway Safety Area; FAA restrictions apply to larger areas at the east and west of the runway.
 Map 8.2



Map 11.22

Watershed, Scenic Corridor/Viewshed, and Hazard Map 1 of 2



**City & Borough of Juneau
COMPREHENSIVE PLAN**

City & Borough of Juneau
Alaska's Capital City
Adopted October 20th, 2008
Ordinance No. 2008-30

- Watersheds
- Scenic Corridor/Viewshed
- Landslide/Avalanche Hazards**
- High Landslide/Avalanche Hazard
- Moderate Landslide/Avalanche Hazard
- Subarea Boundary



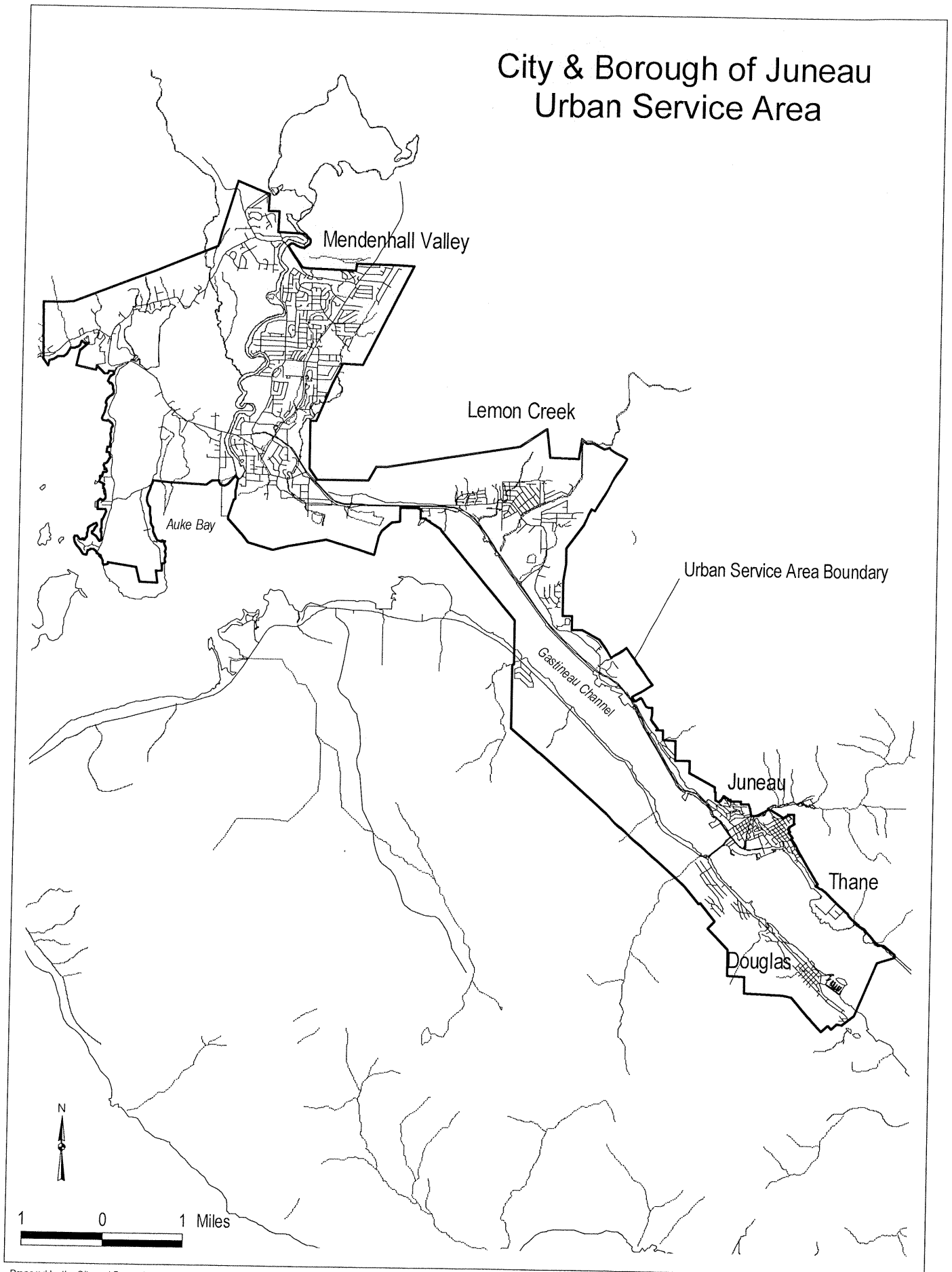
NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present in the COGNITIVE DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Prepared by: Community Development Department

Map 11.23

Watershed, Scenic Corridor/Viewshed, and Hazard Map 2 of 2

City & Borough of Juneau Urban Service Area



Prepared by the City and Borough of Juneau Community Development Department
July 11th, 2008

Map 12.1