

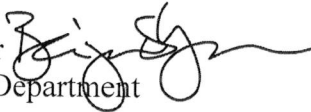
MEMORANDUM

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

DATE: May 20, 2014

TO: Planning Commission

FROM: Ben Lyman, Senior Planner
Community Development Department



FILE NO.: AME2014 0007

PROPOSAL: Review of potential amendments to the subdivision street improvement standards

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

Attachment A Draft Ordinance

BACKGROUND

Based on the Ad Hoc Housing Committee's suggestion, the City and Borough of Juneau Assembly Public Works and Facilities Committee (PWFC) directed staff to prepare revisions to the street improvement standards for new subdivisions. Specifically, staff was directed to review and draft revisions to requirements relating to:

- Paving;
- Sidewalks;
- Lighting;
- Drainage;
- Development of new roads to CBJ standards for public maintenance; and,
- Prohibition against creating new lots not fronting on a publicly-maintained road.

The attached draft ordinance creates new tiers of roadway construction, allowing finer-grained application of standards and providing developers with new options. Currently, roads are classified as Arterials, Minor Arterials, Collectors, and local streets at CBJ 49.40.105 *Roadway classification map*. The local street classification is further divided at CBJ 49.35.240 into separate standards for streets inside and outside of the Urban Service Area Boundary (USAB); the local street standards within the USAB are further divided into "Typical" and "Local Access"



streets, with the Local Access standard only applying in the RR, D1, and D3 zones. Each of these street types has its own standards for construction and design.

Staff proposes to adopt a new table of street construction standards that lays out the required dimensions and construction standards for Collector, Intermediate Volume, Low Volume, and Driveway in Right-of-Way streets (no change to Arterial design specifications is proposed). These standards would be uniform within and outside of the USAB, although paving would be required on all street types within the PM-10 Management Area, where fugitive dust from unpaved roads resulted in air quality non-attainment issues in the past, and where the Alaska Department of Environmental Conservation has been investing in paving existing dirt roads in order to improve air quality.

Requirements to provide sidewalks, lighting, and type of drainage system would vary by the forecast traffic levels on the street and the zone in which the development was proposed.

Under current code, subdivisions of land may only result in new lots if all lots front on, and have direct access to, a right of way maintained by an agency of government. This means that lots fronting on older dirt roads which are not maintained may not be subdivided unless the developer improves the entire roadway to be accepted for maintenance. The proposed revisions to the land use code would allow the creation of new lots fronting on rights-of-way which have not been accepted for maintenance by the CBJ, but only on a limited basis. Once project traffic volumes reached a specified threshold, the roadway would need to be upgraded in order for new lots to be created off of it.

This fundamental change in the land use code would also allow the creation of lots not provided with vehicular access. The many lots developed with residences along downtown Juneau's public stairways are evidence that lots not provided with vehicular access can be developed successfully and fill a niche in the housing market.

There are concerns amongst staff at various CBJ departments that allowing the development of streets to a lower standard than that acceptable for public maintenance will result in insufficient maintenance and eventual requests for the CBJ to take over responsibility for substandard roads. It may be appropriate to create local improvement districts with new subdivisions utilizing substandard roadways so that the road can be upgraded and maintenance duties assumed by the CBJ after a specified period of time. How eventual upgrades and ongoing maintenance are funded will require public discussion, as allowing roads not meeting municipal standards to provide access to new lots is likely to result in short-term savings for the developer, and possibly for the purchaser, but to place a longer-term financial burden on the rest of the public for maintenance and upgrades to those roads.

In addition to the direct financial impacts of adopting these amended standards, there are longer-term impacts in terms of quality of life, health, and safety. The most vulnerable residents of our community, the elderly, the young, and those in lower economic brackets are the most likely to need to walk to their destinations, as they are the least able to drive private automobiles. A

complete sidewalk network helps these individuals get to their destinations safely. Additionally, active transportation such as walking has been identified as an important tool in the fight against the nation-wide obesity epidemic; encouraging walking by providing a safe, dedicated network for this transportation mode can help make a difference in public health.

Staff requests that the Planning Commission review and comment on the policy choices outlined in this memorandum and codified in the attached draft ordinance. Planning Commission, public, and staff feedback will be incorporated into a draft ordinance scheduled for Planning Commission review and recommendation at the June 10, 2014 regular meeting.

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Chapter 49.15 PERMITS

49.15.460 Design.

The following design standards shall apply to all subdivisions.

- (1) *Blocks*. Blocks, the length, width and shape of blocks shall be determined with due regard to building site conservation and the special needs of the type of use contemplated.
- (2) *Streets*. Proposed public street systems shall be designed in accordance with articles I and II of chapter 49.35
- (3) *Topography*. Consideration shall be given to design limitations imposed and opportunities presented by slopes, waterways and other topographic features. Scenic areas, sensitive areas and locations with important historical interest shall be taken into consideration during subdivision layout.
- (4) *Lots*.
 - (A) *Generally*.
 - (i) Subdivision lots shall meet the minimum dimensional standards established by chapter 49.25, article IV., ~~provided that in cases of difficult topography or other circumstances rendering compliance impracticable, the director may approve other configurations if the lot:~~
 - (a) Meets the minimum lot size requirement;
 - (b) As drawn, is capable of containing a rectangle having two sides equal in length to the minimum lot width requirement and two sides equal in length to the minimum lot depth requirement;
 - (c) Has direct and practical access to a street maintained by an agency of government; and,
 - (d) Has at least one practical building location. **[note: relocated to new subsection (iii) below]**
 - (ii) The shape, orientation and setback lines of lots shall be appropriate for the development proposed.
 - (a) For lots with more than four sides, the director may require front, street side, side, and rear lot lines to be listed on the plat.
 - (iii) In cases of difficult topography or other circumstances rendering compliance impracticable, the director may approve other configurations if the lot:
 - (a) Meets the minimum lot area requirement;
 - (b) As drawn, is capable of containing a rectangle having two sides equal in length to the minimum lot width requirement and two sides equal in length to the minimum lot depth requirement;
 - (c) Has direct and practical access to a right-of-way; and,
 - (d) Has at least one practical building location.

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- (e) Lots configured under this subsection shall be noted as "minimum rectangle lot(s) configured under the provisions of CBJ 49.15.460(4)(A)(iii) at the time of approval" in a plat note.
- (B) *Side lot lines.* Side lot lines should be at angles to straight streets and radial to curved streets unless topographic conditions require otherwise.
- (C) *Double frontage lots.* Except for corner lots and lots served by an alley, double frontage lots should be avoided. When such lots are permitted by the ~~director commission~~, the plat shall indicate which abutting street is not approved for access when access restrictions are deemed appropriate by the director in order to:
- (i) Restrict access to a local street and prevent direct access to a collector or arterial street;
- (ii) Restrict access to prevent unsafe sight distances; or,
- (iii) Prevent the construction or maintenance of driveways near intersections with cross streets
- (D) *Lot descriptions.*
- (i) All lots shall be numbered consecutively. In the event of phased subdivisions, the earlier numbering system may be continued.
- (ii) Bearing, distance and any curve data shall be shown for each lot line.
- (iii) For resubdivisions or right-of-way vacations, the lines and identification of the previous lots may be shown by light dashed lines, figures, letters, or by a separate plat on the same sheet showing the prior location of lot lines.
- (5) *Rights-of-way.*
- (A) All lots shall have at least 30 feet of frontage unless the minimum lot width for the zone listed at CBJ 49.25.400 is less than 30 feet, on a dedicated right-of-way, except that a lot located within a subdivision designated as a remote subdivision pursuant to section 49.70.1110 shall be exempt from this requirement, upon a finding by the director or planning commission, as appropriate, that:
- (i) Sufficient and practical access is provided by at least 30 feet of frontage on a navigable waterbody; and
- (ii) There is no reasonable probability in the foreseeable future that frontage on a dedicated right-of-way will be necessary for access to the lot.
- (B) A new right-of-way dedicated as a part of a plat shall meet the requirements for rights-of-way set out in chapter 49.35
- (C) Any previously platted right-of-way less than 50 feet in width shall be expanded to meet the minimum dimensions established by this title. ~~The department may require additional right-of-way dedication if an existing right-of-way is 50 feet or more in width but less than the minimum required by chapter 49.35~~
- (D) ~~The department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance. [Reserved]~~
- (E) Subdivision of lots fronting on rights-of-way not maintained by an agency of government.

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(i) No more than eight lots may be subdivided or served by an access driveway in a right-of-way unless the driveway is converted to an Intermediate Volume road or other full standard access is provided.

(ii) A permit for an access driveway that could serve one to eight lots may be issued only after approval of the concept for the access driveway by the director.

(iii) An access driveway in a public right-of-way shall be designed and constructed according to Table 49.35.240(a)(3) Table of roadway construction standards.

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Chapter 49.35 PUBLIC IMPROVEMENTS

49.35.110 Purpose.

The purpose of this chapter is to:

- (1) Establish design and development criteria for public improvements; and
- (2) Outline the procedures and responsibilities of the developer for furnishing plans and completing the improvements.

49.35.120 Extent and nature of improvements.

- (a) All required improvements shall be installed to the boundaries of the development and shall be designed to provide for future extension and service to contiguous areas.
- (b) In all subdivisions or other developments in which publicly maintained streets are to be constructed, the developer shall construct a year-round roadway according to CBJ 49.35.240
- (c) The developer shall install street name signs, traffic control signs and traffic control pavement markings in accordance with the approved plans and the requirements of the current issue of the Manual on Uniform Traffic Control Devices, including the current supplement.
- (d) The director ~~commission~~ may waive construction requirements only as provided in CBJ 49.35.240 and CBJ 49.35.620.

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49.35.210 Street system.

- (a) *Layout.* Subdivision street system shall be designed for the most advantageous development of the entire neighborhood area. Collector streets in adjoining subdivisions shall be continued and shall be of at least equal width. Street jogs shall be avoided. The street system shall provide for connecting streets into adjoining unsubdivided lands.

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- (b) *Discouragement of through ~~T~~traffic calming.* Except for major thoroughfares [collectors and arterials](#), residential streets shall be laid out [use design features](#) to discourage their use by through [slow](#) traffic.
- (c) *Future streets.* Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street and utility system of the unsubdivided part shall be furnished and the street and utility system of the submitted part shall be considered in the light of proposed plans for the entire area.
- (d) *Half streets.* Whenever there exists a dedicated or platted half street or alley adjacent to the tract to be divided, the other half of the street or alley shall be platted and dedicated, and the entire street or alley shall be constructed.
- (e) *Right-of-way widths.* The minimum right-of-way width of proposed streets shall be as follows:
- (1) *Arterials:* ~~primary,~~ 100 feet; ~~secondary~~ [minor](#), 80 feet.
 - (2) *Collectors:* 60 feet;
 - (3) *Streets other than arterial and collectors:* 60 feet; provided that for such streets developed with paving, underground drainage and curbs, gutters, and sidewalks on both sides of the street, the minimum right-of-way width shall be 50 feet [the minimum right-of-way width may be reduced as provided at CBJ 49.35.230\(g\)](#);
 - (4) *Permanent culs-de-sac:* a radius of 50 feet;
 - (5) *Alleys:* 20 feet; ~~and,~~
 - (6) [Stairways and other non-motorized access routes: 15 feet.](#)
- ...

49.35.230 Design criteria.

- (a) *Design speed. (Reserved)*
- (b) *Sight distance.* Sight distances for intersection, passing and stopping shall be in accordance with the specifications set forth in [A Policy on Geometric Design of Highways and Streets, 1984](#), as published by the American Association of State Highway and Transportation Officials.
- (c) *Street grades.* Grades on arterial streets shall not exceed six percent. Grades on other streets shall not exceed 12 percent. The minimum grade for all streets shall be three-tenths percent. Grades in hillside developments shall be as specified in chapter 49.70, article II.
- (d) *Intersections.*
- (1) ~~Residential streets should not intersect with arterial or other major streets.~~ [Driveways and alleys may not intersect directly with collector or arterial streets.](#)
 - (2) Corner sight distance shall be in accordance with subsection (b) of this section; ~~however in no case shall the sight distance be less than 200 feet.~~
 - (3) Intersections of right-of-way lines shall not be less than 60 degrees. Intersection of construction centerlines shall not be less than 80 degrees.
 - (4) The grade on the approach leg of an intersection shall not exceed six percent for the last 100 feet toward the centerline of the intersection and shall not exceed two percent for the final 15

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feet to the edge of the major street. The distances shall be measured along centerlines. The grades shall be computed on a line within the traveled way and no more than seven feet from the edge of the roadway.

(e) *Curves.*

- (1) ~~An arterial street with an alignment deflection angle of more than ten degrees shall have a centerline radius of curvature of not less than 300 feet. [Reserved]~~
- (2) ~~Between reversed curves on arterials there shall be a tangent at least 100 feet in length. [Reserved]~~
- (3) [Roadway curves shall be designed in accordance with A Policy on Geometric Design of Highways and Streets.](#)

(f) *Cul-de-sacs.* ~~Streets shall be laid out without the use of cul-de-sacs to the greatest extent practical.~~ Streets designed to have one end permanently closed shall be no more than 600 feet long and not less than 150 feet in length from the center of the intersection to the radius point of the cul-de-sac provided that the director may authorize longer or shorter cul-de-sac streets if design considerations and site, lot layout, and surrounding street conditions warrant.

(g) *Right-of-way minimum width reductions.*

(1) The director may reduce minimum right-of-way width requirements other than those for alleys, stairways and other non-motorized access routes:

- (A) For a collector, the right-of-way width may be reduced by up to 10 feet;
- (B) For an intermediate volume street, a low volume street, or a driveway in a right-of-way, the width may be reduced by up to 20 feet; and,
- (C) Where the dedicated right-of-way abuts and runs parallel to an exterior property line, will serve as a half-street, and will be developed as a low volume street or a driveway in a right-of-way, the width may be reduced by up to 30 feet.

(2) The director shall make written findings supporting right-of-way minimum width reductions granted under this section. The director's findings shall state that:

- (A) The applicant has provided room for electric utility features and demonstrates that if the road is upgraded in the future to include additional sidewalks that there is sufficient right-of-way for construction of the sidewalks without need for retaining walls over two feet in height;
- (B) There is sufficient right-of-way or easements to allow for

Comment [BSL1]: Rob, please touch base with me about this section. It's oddly worded/organized, but staff in Engineering, Public Works, and CDD all agree that it has merit – we just don't know how to write it the way we mean it. 586-0758

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- drainage improvements required by construction of the sidewalks;
(C) That any driveways in the subdivision shall be constructed to accommodate the elevations of future sidewalks; and,
(D) No additional right-of-way width will be required in order to provide for sufficient access to abutting lands.

49.35.240 Construction standards.

- (a) Roadway requirements within the urban service boundary as shown in the CBJ Comprehensive Plan shall be as follows:
- (1) *Arterials.* The developer shall not be responsible for the construction of arterial streets.
 - (2) *Collectors.* ~~The roadway portion of collector streets shall be at least 32 feet wide and shall be constructed by the developer with a paved roadway, curbs, gutters, street lights, sidewalks on both sides of the street, and a storm drainage system whether surface, subsurface, or both.~~
Reserved
 - (3) *Other streets.*

Table 49.35.240(a)(3) Table of roadway construction standards

<u>Average Daily Trips (ADT) *</u>	<u>(Adopted) Traffic Impact Analysis Required?</u>	<u>Sidewalks</u>	<u>Curb and Subsurface Drainage</u>	<u>Travel Way Width</u>	<u>Street Lights</u>	<u>ROW Width</u>	<u>Paved Roadway</u>	<u>Roadway Classification</u>	<u>Number of (SFD) Lots Created**/ Dwelling Units Accessed *</u>
<u>≥</u>	<u>Yes</u>	<u>Both Sides</u>	<u>Both Sides</u>	<u>26 Feet</u>	<u>Continuous</u>	<u>60 Feet **</u>	<u>Required</u>	<u>Collector</u>	<u>≥</u>
<u>500-</u>	<u>Yes</u>	<u>Both Sides</u>	<u>Both Sides</u>	<u>26 Feet</u>	<u>Continuous</u>	<u>60 Feet **</u>	<u>Required</u>		<u>27-</u>
<u>251-499</u>	<u>Maybe</u>	<u>One Side</u>	<u>One Side</u>	<u>24 Feet</u>	<u>All Intersections</u>	<u>60 Feet **</u>	<u>Required</u>	<u>Intermediate Volume</u>	<u>14-26</u>

Comment [BSL2]: IFC requires 26' minimum for fire access roads with fire hydrants on them. 20' is minimum if there are no obstructions and no fire hydrants on road.

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<u>78-249</u>	No	Not Required	Not Required	22 Feet for Public Maintenance; or, As Required by CBJ 19.10 Appendix D: Fire Apparatus Access Roads for Driveway in Right-of-Way (private maintenance)	Intersections of Subdivisions on Streets with External Street System	60 Feet**	Not Required***	Low Volume***; or, Driveway in Right-of-Way****,* ****	5-13
≤77	No	Not Required	Not Required	22 Feet for Public Maintenance; or, As Required by CBJ 19.10 Appendix D: Fire Apparatus Access Roads for Driveway in Right-of-Way (private maintenance)	Intersections of Subdivisions on Streets with External Street System	60 Feet**	Not Required***	Low Volume***; or, Driveway in Right-of-Way****,* ****	≤4

Comment [BSL3]: Um...250 is not covered in the code...oops...

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				<u>mainten</u>					
				<u>ance)</u>					

* Relationship between ADT and number of single-family dwellings (SFD) created based on 9.57 average weekday trip ends per dwelling unit; Trip Generation, 7th Edition, Institute of Transportation Engineers, Use 210

**ROW Width may be reduced as prescribed at CBJ 49.35.230(g).

***Paving of roadway required for any street type within the area within the PM-10 Non-Attainment Area Map. [map needs to be created, based on http://dec.alaska.gov/air/doc/JNU_pm10_map_dec08.pdf]

**** See CBJ 49.35.240(d) for restrictions and procedure on use of this street classification.

***** Low Volume and Driveway in Right-of-Way streets may only be constructed in the RR, D-1, D-3, D-5, and D-10SF zones. Number of lots accessed not applicable in multi-family, commercial, or industrial zones, where street standards are based on ADT only.

~~(A) *Typical.* The roadway portion of streets other than arterials and collectors shall be at least 28 feet wide, shall be constructed by the developer with a paved roadway, curbs, gutters, street lights, sidewalks on both sides of the street, and a storm drainage system whether surface, subsurface, or both.~~

~~(B) *Local access street.* In areas zoned D1, D3, or RR the developer may choose to construct a local access street.~~

~~(i) *Standards.* A local access street shall have a roadway at least 26 feet wide, at least 22 feet of which shall be paved. It shall include street lights, storm drainage, and at least one paved sidewalk.~~

~~(ii) *Limitations.* A local access street shall not exceed 600 feet in length. It shall not directly serve or have the potential to serve a lot or group of lots on which more than 50 dwelling units may lawfully be constructed as estimated by the planning commission in the case of major development and the community development director in the case of minor development. Estimates shall be based upon the maximum development allowed in the zoning district for the area of the proposed development together with adjacent areas that could be served by the proposed street or extensions thereof. In a transition zone, estimates shall be based upon the zoning district having the higher density.~~

~~(b) *Roadway requirements outside the urban service boundary.*~~

~~(1) *Arterials.* The developer shall not be responsible for the construction of arterial streets.~~

~~(2) *Collectors.* The roadway portion of collector streets shall be at least 32 feet wide with a gravel surface.~~

~~(3) *Other streets.*~~

~~(A) The roadway portion of streets other than arterials and collectors shall be at least 28 feet wide with a gravel surface.~~

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~~(B) Provided, however, the roadway portion of local streets in new subdivisions located outside the urban service boundary may be constructed to a width of not less than 24 feet provided the estimated maximum traffic to be carried by the proposed street is less than 250 ADT. The estimation of maximum traffic to be carried shall be based upon the maximum development allowed in the zoning district for the area of the proposed development and the adjacent areas that could be served by the proposed street or extensions thereof using traffic generation rates established by the Institute of Transportation Engineers, or other recognized standard for estimating traffic generation acceptable to the City and Borough engineer. Reserved~~

(c) ~~Waivers. The commission and the director, after considering the recommendation of the directors of the engineering and public works departments, and of the Fire Marshal, may waive the following and no other construction requirements:~~

- ~~(1) The requirement for curbs and gutters may be waived upon a determination by the director of engineering that curbs and gutters would be impractical with the drainage system specified by the engineering department. A decision by the director of engineering on drainage, curbs or gutters may be appealed to the manager. Reserved~~
- ~~(2) The commission may waive requirements for paving, curb and gutters for subdivision of four and fewer lots in that area designated on the map identified as paving, curb and gutter waiver which is on file in the engineering department. Reserved~~
- ~~(3) The commission may waive the requirement for a subdivider to install curbs and gutters in residential subdivisions of no more than four lots, if:
 - ~~(A) The existing street to be connected to the proposed right-of-way has no curbs or gutters; and~~
 - ~~(B) The proposed street does not exceed 200 feet in length, has no potential for extension, and terminates in a cul-de-sac. [Reserved]~~~~
- ~~(4) If the plat is primarily for the purpose of relocating a right-of-way, the commission-director may vary the construction requirements under the following conditions:
 - ~~(A) The existing right-of-way dedication or reservation was shown on a plat recorded before July 1, 1970 March 30, 1953, or on a conveyance from the United States of America;~~
 - ~~(B) The proposed relocation will improve access to abutting or neighboring property not otherwise adequately served;~~
 - ~~(C) The relocated right-of-way will conform to the other standards of this chapter; and~~
 - ~~(D) The improvements required in the new right-of-way will not be less than those in the existing right-of-way.~~~~
- ~~(5) The commission may waive the full construction of a roadway within a right-of-way that is required to provide access to a bordering property but does not provide any access within the subdivision. The commission can require provision of a roadbed or other appropriate improvements. Reserved~~
- ~~(6) If a proposed subdivision includes dedication of a right-of-way to extend an existing street, then in lieu of the full improvement standards otherwise applicable to the proposed street, the commission-director may allow a subdivider to improve all or a portion of the existing street, as well as the proposed street, to a standard of improvement of a cost equivalent to that of the full improvement standards otherwise applicable to the proposed street; provided, curb, gutter and sidewalk improvements shall not be waived in commercial areas where pedestrian traffic is~~

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likely to occur, in commercial areas which provide parking in excess of ten spaces, adjacent to schools, or where an existing development plan requires such improvements.

- (7) Where a right-of-way, not necessary to provide minimum frontage and access to the proposed subdivision, is required to be dedicated for access to adjacent property, the ~~commission~~ director may waive street construction requirements other than those applicable to roadbed design and slope erosion control.
- (8) For major subdivisions designated as remote subdivisions pursuant to section 49.70.1100, the ~~commission~~ director may:
- (A) Waive right-of-way improvements upon a finding that construction of the required right-of-way is unnecessary for sufficient and practical access to lots created by the subdivision and would be an unnecessary public maintenance burden.
 - (B) Reduce required right-of-way improvements upon a finding that a lesser improvement than that which is otherwise required would provide for sufficient and practical access to lots created by the subdivision and that the developer has established a system for common maintenance of the improvements by property owners within the subdivision.
 - (C) To the extent consistent with topography, existing easements, and the need to promote access between neighbors, require that coastal lots in remote subdivisions include a pedestrian easement parallel to the line of extreme high tide.
- (d) *Access driveways allowed in rights-of-way.* The director of engineering may issue an excavating permit under chapter 62.05 to the owner of a lot of record which adjoins a public right-of-way to construct an access driveway to provide vehicular access to the owner's lot. ~~In order to issue~~ Prior to issuance of the permit, the director must find that all of the following requirements and conditions have been met, in addition to all other applicable requirements of the City and Borough Code:
- (1) ~~All lots to be served by the access driveway must be properly existing lots of record.~~ [Reserved]
 - (2) Only public rights-of-way not improved for and in use accepted for maintenance by an agency of government as a public road may be used for the access driveway.
 - (3) The applicant must provide a notarized statement agreeing to and acknowledging the following:
 - (A) That the City and Borough shall not be obligated to provide any maintenance, grading or snow plowing for the access driveway that would not be provided as a matter of course for any other driveway located on private land;
 - (B) That the applicant and the applicant's heirs, successors, and assigns, will defend, indemnify and hold harmless the City and Borough from any claim or action for any injury, loss or damage suffered by any person arising from the design, maintenance, or use of the access driveway;
 - (C) That the access driveway will not be blocked from vehicular or pedestrian access by the public;
 - (D) That the City and Borough will have unimpeded access to the driveway to carry out other responsibilities not associated with subsection (d)(3)(A) of this section;
 - (E) That the applicant will maintain the access driveway according to the requirements and conditions established by the director of engineering in the excavation permit; and
 - (F) That the City and Borough will record a copy of the agreement with the state recorder's office for each lot or parcel of land adjoining the segment of right-of-way in which the access driveway is to be located.

Comment [BSL4]: This is existing language, so we should either change it or change the process to be in conformance with the ordinance.

Comment [RK5]: Maintenance is not a part of the excavation permit. It is stated as a function of the hold harmless agreement.

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- (4) A permit fee, inspection fee and performance bond must be provided according to the requirements of the engineering department. ~~In addition, the applicant must pay a one-time sign placement fee in an amount to be established by the manager.~~
- (5) ~~No new lots may be created from the division of any parcel of land that is served by the access driveway unless the driveway is converted to a full standard public road or street or other full standard access is provided.~~ [\[Reserved\]](#)
- (6) ~~A permit for an access driveway that could serve one to four lots may be issued only after approval of the concept for the access driveway by the director.~~ [\[Reserved\]](#)
- (7) ~~A permit for an access driveway that could serve five or more lots may be issued only after approval of the concept for the access driveway by the planning commission under the conditional use permit procedure.~~ [\[Reserved\]](#)

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ARTICLE VI. PEDESTRIAN NON-MOTORIZED ACCESS

[49.35.610 Walkways. Non-motorized paths](#)

[49.35.620 Sidewalks.](#)

[49.35.630 Bike paths.](#)

49.35.610 Walkways [Non-motorized paths.](#)

~~(a) Pedestrian walkways~~ [Non-motorized paths](#) not less than ~~five~~ [ten](#) feet wide ~~are~~ may be required through blocks longer than 600 feet or where deemed essential to provide reasonable circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

~~(b) Construction timing. Shared-use pathways must be constructed prior to occupancy of any dwellings on lots located adjacent to the pathway, or at the time of all subdivision improvements are accepted by the City and Borough, whichever comes first.~~

49.35.620 Sidewalks.

- (a) The subdivider shall construct sidewalks on both sides of all [collector streets in any residential subdivision, or all streets](#) furnished with curbs and gutters in any residential or commercial subdivision within the urban service area, ~~provided that local access streets may be constructed with one sidewalk not less than five feet wide.~~ [The subdivider shall construct a sidewalk on at least one side of any intermediate volume road. Sidewalks are not required on low volume roads or driveways within public right-of-ways.](#)

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- (b) Waivers. The director, after considering the recommendation of the directors of the engineering, parks and recreation, and public works departments, may waive the following and no other construction requirements:
- (1) If the topography and lot arrangement in a residentially zoned subdivision is such that lots or property on a side of ~~the~~ a collector street will not use that street for primary street access, and the ~~commission~~-director determines that development of abutting and other nearby property will not create a need for sidewalks on both sides of the collector street, the ~~commission~~-director may require a sidewalk on only one side of the street. If ~~it~~ the director grants such a waiver, ~~it~~ the director may require the remaining sidewalk to be constructed to a greater width than would otherwise be required.
 - (2) The ~~commission~~-director may waive a sidewalk requirement and allow alternative pedestrian non-motorized improvements to be constructed outside the right of way upon a finding that the alternative will:
 - (A) Take advantage of natural features of the site or implement the Juneau Non-motorized Transportation Plan; and
 - (B) Provide safety, quality, and function equivalent to the requirement waived.

49.35.630 Bike paths.

Bike paths, where constructed ~~required~~, shall be constructed pursuant to the state department of transportation and public facilities Alaska Highway Preconstruction Manual Chapter 12: Non-Motorized Transportation, on "Bicycle Ways."

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Chapter 49.40 ACCESS, PARKING AND TRAFFIC

49.40.105 Roadway classification map.

There is adopted road classification maps A—D dated, April 22, 2013, as the same may be amended from time to time by the assembly by ordinance. These maps set forth the classification of roads within the CBJ. The roadway classification maps will govern references to roadways in this Title.

49.40.110 Utilities.

Public rights-of-way or easements, together with the right of ingress and egress, shall be provided where necessary for public utilities.

49.40.120 Streets.

Each lot shall abut and be physically accessible from a dedicated ~~street~~ right-of-way other than an alley.

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49.40.130 Arterial streets.

- (a) Except as provided in subsection (b) of this section, if a new subdivision involves frontage along an arterial street:
- (1) The plat shall note that no lots shall access directly onto the arterial; and
 - (2) Access shall be provided onto ~~an interior access street or a separate frontage made~~ [a street other than an arterial](#).
- (b) Land involving frontage directly along a minor arterial street may be subdivided so as to allow access directly onto the minor arterial street provided all of the following conditions are met:
- (1) All of the resulting lots must comply with the D-1 zoning district lot area standards;
 - (2) All of the lots must share a common access point and no additional lots may be added;
 - (3) The owner or the developer, as appropriate, must construct a parking area of sufficient size to provide a minimum parking and maneuvering area to prevent back-out parking;
 - (4) The owner or the developer, as appropriate, must provide assurance in the form of an easement, plat note, or other form acceptable to the City and Borough, that the required access will be maintained by the property owners; and
 - (5) The proposed subdivision must meet all other applicable City and Borough subdivision standards and requirements.

49.40.140 Collector streets.

If a tract fronting on a ~~major road~~ [collector street](#) for a distance of 500 feet or more with an average depth from the ~~major road~~ [collector street](#) of more than 350 feet is to be subdivided, the commission shall require all residential lots adjoining the road to be provided with frontage on a ~~secondary or interior street~~ [other than an arterial or collector](#).

49.40.150 Streams and bodies of water.

The developer shall convey such easements or make such dedications as may be made necessary by the development in order to provide public access to all streams and public bodies of water.

49.40.160 Trailhead dedications or easements.

Trailhead dedications or easements as may be made necessary by the development shall be provided in order to provide public access to existing trails.

49.40.170 Driveways.

All driveways shall be constructed as provided in section 62.36.015.

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49.40.180 Acceleration and deceleration lanes.

- (a) If a driveway serves right-turning traffic from a parking area providing 200 or more parking spaces, and the road has a peak-hour traffic volume exceeding 750 vehicles per hour, an acceleration lane ~~at least 200 feet long and at least ten feet wide measured from the driveway to the acceleration lane~~ shall be provided meeting the design standards for such an acceleration lane specified in *A Policy on Geometric Design of Highways and Streets*.
- (b) If a driveway serves as an entrance to a land development providing 100 or more parking spaces, a deceleration lane shall be provided for traffic turning right into the driveway from the road. The deceleration lane shall ~~be at least 200 feet long and at least 13 feet wide measured from the road curb radius. A minimum 35-foot curb return radius shall be used from the deceleration lane in the driveway~~ meet the design standards for such a deceleration lane specified in *A Policy on Geometric Design of Highways and Streets*.

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ARTICLE II. PARKING AND LOADING

49.40.200 General applicability.

...

- (4) *Location.* Off-street parking facilities shall be located as hereinafter specified; if a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building it is required to serve. Parking:
- (A) For single-family and two-family dwellings shall be on the same zoning lot as the building served, except that in subdivisions with lots that front on a non-motorized right-of-way and not on a street or vehicular right-of-way, one or more parking lots providing the minimum number of off-street parking spaces adequate to meet the minimum requirements for the maximum residential build-out of the lots not fronting on a vehicular right-of-way shall be located not more than 500 feet distant;
- (B) For multifamily dwellings shall not be more than 100 feet distant;
- (C) For hospitals and institutions shall be not more than 300 feet distant; and
- (D) For uses other than those specified above shall be not more than 500 feet distant.

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49.40.230 Parking and circulation standards.

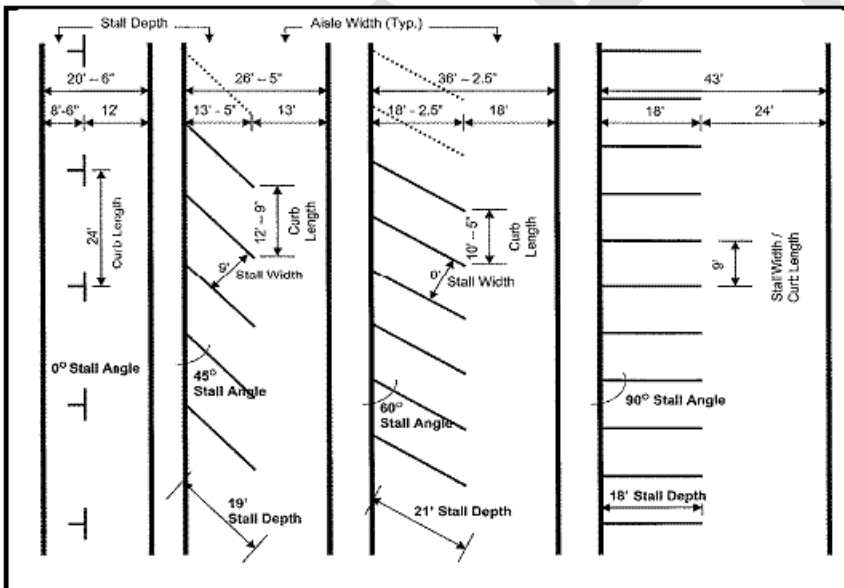
- (a) *Purpose.* Provisions for pedestrian and vehicular traffic movement within and adjacent to the site shall address layout of parking areas, off-street loading and unloading needs, and the movement of people, goods, and vehicles from access roads, within the site, and between buildings and vehicles. Parking areas shall be attractively landscaped and shall feature safely and conveniently arranged parking spaces.
- (b) *Off-street parking and loading areas; design standards.*

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- (1) *Access.* There shall be adequate ingress and egress from all parking spaces. The required width of access drives for driveways shall be determined as part of plan review depending on use, topography and similar considerations. Except in the case of single-family dwellings and duplexes located in residential and rural reserve zoning districts, back-out parking shall not be permitted on a right-of-way other than an alley.
- (2) *Size of aisles.* The width of all aisles providing direct access to individual parking stalls shall be in accordance with the following table and graphic:

Aisle width	Parking Angle				
	0°	30°	45°	60°	90°
One-way traffic	13	11	13	18	24
Two-way traffic	19	20	21	23	24



[This graphic was borrowed from another municipality, and is not entirely consistent with the table above; it is shown here as a place holder, and will be replaced with a CBJ-specific graphic in a similar format showing dimensions adopted by the CBJ.]

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- (3) *General location.* All parking shall be located in bays generally perpendicular to driveways or roads.
 - (4) *Location in different zones.* No access drive, driveway or other means of ingress or egress shall be located in any residential zone if it provides access to uses other than those permitted in such residential zone.
 - (5) *Sidewalks and curbing.* Sidewalks shall be provided with a minimum width of ~~four~~ *five* feet of passable area and shall be raised six inches or more above the parking area except when crossing streets or driveways. Guardrails and wheel stops permanently anchored to the ground shall be provided in appropriate locations. Parked vehicles shall not overhang or extend over sidewalk areas, unless an additional sidewalk width of two feet is provided to accommodate such overhang.
 - (6) *Stacked parking.* Stacked parking spaces may only be counted as required parking spaces for single-family residences, duplexes, and as otherwise specified for specific uses. In the case of single-family residences and duplexes, only a single parking space per dwelling unit may be a stacked parking space.
- (c) *Landscaping and drainage.*
- (1) Parking areas shall be suitably drained and shall be landscaped in accordance with design review standards [at 04 CBJAC Chapter 60.](#)
 - (2) Off-site drainage facilities and structures requiring enlargement, modification, or reconstruction in part or in whole as the result of the proposed development shall be subject to off-site improvement requirements and [shall follow the CBJ Manual of Stormwater Best Management Practices](#) ~~standards as established by the city.~~
- (d) *Lighting.* All parking areas shall be suitably lighted. All lighting fixtures shall be "full cutoff" styles that direct light only onto the subject parcel.
- (e) *Markings and access.* Parking stalls, driveways, aisles and emergency access areas and routes shall be clearly marked.
- (f) *General circulation and parking design.*
- (1) Parking space allocations shall be oriented to specific buildings. Parking areas shall be linked by walkways to the buildings they serve.
 - (2) Where pedestrians must cross service roads or access roads to reach parking areas, crosswalks shall be clearly designated by pavement markings or signs. Crosswalk surfaces shall be raised slightly to designate them to drivers, unless drainage problems would result.
- [\(g\) Parking and circulation areas shall comply with the requirements of CBJ 49.70.925.](#)

Chapter 49.80 DEFINITIONS

[49.80.110 Rules of construction.](#)

[49.80.120 Definitions.](#)

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49.80.120 Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

Alaska Highway Preconstruction Manual Chapter 12: Non-Motorized Transportation means the January 2005 Edition, Published by the Alaska Department of Transportation and Public Facilities.

A Policy on Geometric Design of Highways and Streets means A Policy on Geometric Design of Highways and Streets, 6th Edition, 2011, commonly referred to as the "Green Book," Published by the American Association of State Highway and Transportation Officials.

Block length means the distance along a right-of-way between intersecting through-streets, measured at the edge of the right-of-way. Alleys, non-motorized paths, and trails are not considered streets for calculation of block length unless they provide the only access to one or more lots; the width of these rights-of-way shall not be included in the block length calculation. The length of a block shall include the depth of any dead-end streets connecting to the block, measured from the center of the radius of the cul-de-sac to the intersection of the centerline of the dead-end street with the edge of the right-of-way of the through-street.

Driveway in a Right-of-Way means a street designed to serve no more than eight lots, with up to 250 Average Daily Trips projected, that is privately maintained.

Intermediate Volume Street means a street designed to serve nine to 16 lots, with 251 to 500 Average Daily Trips projected, that has been accepted for maintenance by the CBJ or the State of Alaska.

Low Volume Street means a street designed to serve no more than eight lots, with up to 250 Average Daily Trips projected, that has been accepted for maintenance by the CBJ or the State of Alaska.

Manual of Stormwater Best Management Practices means the CBJ Manual of Stormwater Best Management Practices, August, 2010

Manual on Uniform Traffic Control Devices means the Manual on Uniform Traffic Control Devices, 2009 Edition, published by the U.S. Department of Transportation, Federal Highway Administration, as amended in the Alaska Traffic Manual Supplement, effective January 12, 2013.

Pedestrian way means any sidewalk, trail, path, or other way reserved, designed, or developed to provide public, pedestrian access whether such way is held by the municipality or other government agency by way of an easement, permit, dedication, prescription, fee ownership or other form.

Public way means pedestrian ways and streets and any other way held for or held open by the municipality, other government agencies, or by recorded easement for purposes of public access.

Roadway Width, is measured as the paved section of a paved street or from shoulder to shoulder on a gravel street.

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Street, local, means a street intended for vehicular access to abutting property and not intended for through traffic. *Local streets include Intermediate Volume Streets, Low Volume Streets, and Driveways in Rights-of-Way.*

Through-street means that segment of a street that intersects with one or more streets, and is not a dead-end street.

[The definitions below are unchanged from those adopted in CBJ 49, and are included for reference only]

Access road means a public or private road which affords the principal means of vehicular access to a property, structure, or development.

Alley means a public right-of-way providing a secondary means of vehicular access to abutting lots but which is not intended for general traffic circulation.

Block means a parcel of land entirely surrounded by public highways, streets, shorelines, streams or other physical features.

Cul-de-sac means the turnaround at the end of a dead-end street.

Roadway means the portion of a street intended for vehicular traffic; where curbs are laid, the portion between the curbs.

Sidewalk means the portion of a street or crosswalk intended for pedestrian use only.

Street means the entire right-of-way of a public way which affords the principal means of access to properties abutting the right-of-way.

Street, cul-de-sac, means a street with a single common ingress and egress and with a turnaround at the end.

Street, major arterial, means a street with access control, channelized intersections, restricted parking, and which collects and distributes traffic to and from minor arterials.

Street, minor arterial, means a street with signals at important intersections and stop signs on the side streets, and which collects and distributes traffic to and from collector streets.

Walkway means a dedicated right-of-way, which does not include a street and is improved for pedestrian use.

Chapter 62.35 SIDEWALKS

[62.35.020 Duty to construct.](#)

[62.35.040 Maintenance required.](#)

[62.35.080 Specifications and permit.](#)

62.35.020 Duty to construct.

Whenever application for a building permit is made for a new residential, industrial, commercial or other structure; or for an alteration of an existing structure, the cost of which alteration is estimated to be in excess of **\$10,000.00**; the owner of any such structure within the area designated on the map entitled

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_____ or any an area zoned commercial D-10SF, D-10, D-15, D-18, LC, GC, MU2, MU, or WC within the City and Borough shall also apply to the City and Borough engineer for a sidewalk permit and construct to standards approved by the City and Borough engineer a sidewalk if such does not then exist, or repair or reconstruct a sidewalk if any existing sidewalk is not in repair, or not free from defect or not safe, on all sides of the property upon which such structure is situated so long as any such side adjoins or abuts a dedicated street or walkway. The City and Borough engineer may waive the construction, reconstruction or repair requirement herein in whole or in part if the sidewalk construction in any particular location is impossible or unfeasible.

62.35.040 Maintenance required.

An owner of real property shall keep the sidewalk or sidewalk door, if any, adjacent to or abutting on such real property in a good state of repair and clear of obstructions and hazards. Violation of this section constitutes an infraction punishable as provided in subsection 01.40.010(b)(3).

62.35.080 Specifications and permit.

No person shall construct or repair any sidewalk except in accordance with the line, grade, slope and specifications established by the City and Borough engineer or without first obtaining a written permit from the City and Borough engineer.