



Community Development Department

# MEMORANDUM

**Date:** November 13, 2014

**To:** Planning Commission

**From:** Travis Goddard, Planning Manager   
Community Development Department

**File No:** AME2013 0016

**Re:** Supplemental Public Input and Analysis

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This memorandum provides points of clarification as requested for the above noted project.

The rezone request was initiated by CBJ Community Development Staff after a discussion with a property owner within the transition zoning area. This property owner was contemplating a cottage development but needed a higher density zoning. It was determined at that time that the transition trigger, the provision of utilities in this case, had been satisfied and that the transition was warranted.

While processing AME20130016 with the existing transition zones, the CBJ Lands and Resources Division noted that the transition zoning was not the highest density zoning that could be obtained under the 2013 *Comprehensive Plan* and suggested that the land be rezoned to a higher density. Up-zoning was recommended to the Planning Commission.

AME2013 0016 received a recommendation for approval from the Planning Commission at the regular August 26, 2014 hearing and the Notice of Recommendation was filed with the City Clerk on September 4, 2014. The Assembly reviewed the case at the October 20, 2014 hearing. Neighbors speaking at the hearing raised questions about the case and whether notice had adequately been given. After discussion of the issues, the Assembly remanded the case to the Planning Commission. The Assembly asked that staff ensure proper notice is given for the case and that analysis be performed to determine whether zoning for even higher densities could be assigned to the area.

### **Concerns over Public Notice Compliance**

Public notice consistent with CBJ chapter 49.15.230 was provided on three occasions. In addition, prior to the Assembly hearing, property owners within the area affected by AME2013 0016 were invited to a neighborhood meeting to explain the effects of the rezone. Public notice was also performed for the October 20, 2014 Assembly meeting. Staff finds that the application has met public notice standards.

### **Staff Report Density Highlights**

In the original staff report CDD Planner, Chrissy McNally, reviewed the *Plan* for density direction and noted her findings in the attached staff report. Specifically she found:

- Medium Density Residential (MDR) prescribes “densities ranging from 5 to 20 units per acre”;
- Urban/Low Density Residential (ULDR) prescribes “densities of one to six units per acre”; and,
- Rural Dispersed Residential (RDR) prescribes densities “intended to permit one dwelling unit per acre or larger lot sizes...”

In the staff report, analysis identified that the appropriate zoning under each *Comprehensive Plan* designation was:

- MDR – D-3, D-5, D-10, D-10SF, D-15, and D-18 are all consistent with the MDR designation.
  - D-3, D-5 and D-10SF are single-family residential zoning districts.
  - D-10 and D-15 are intended to be relatively low-density multi-family residential districts.
  - D-18 is intended for high density multi-family development accommodated through midrise-type development.
- ULDR – D-5 at five units per acre (D-10 being too high and D-3 not being appropriate within urban service boundaries); and
- RDR – D-1 and outside of urban service boundaries.

### **Reconciling Inconsistencies between the Comprehensive Plan & Zoning**

Staff review identified conflicts/inconsistencies between the *Comprehensive Plan* and zoning, which warranted changes to the requested transition zones.

ULDR - For those parcels in ULDR, the proposed transition zone of D-3 was no longer appropriate because D-3 zoning is for land outside urban service boundaries. The very fact that the “transition” wasn’t triggered till urban services became available created a catch-22 for staff.

When Lands (who own 200 of the 285 acres) suggested higher densities were warranted, CDD staff agreed and recommended the highest density single-family residential zoning possible within the six-unit per acre density outlined in the *Plan*. Staff reviewed the zoning code and

found D-5 to be both within the *Plan* density range goal, but also to be a zoning district to be served by urban services. Therefore, staff recommended D-5 up-zoning.

RDR – The *Plan* intends RDR designations to be very low density development that is not provided with municipal water or sewer. So right from the start, the *Plan* designation does not fit with the underlying zoning that existed when the *Plan* was adopted. Now, faced with the desire to accommodate, and if possible facilitate, residential development, staff was faced with reviewing a transition rezone request that is on its face inconsistent with the *Plan*.

Staff concluded that the RDR designation could not be fulfilled because the area was already serviced by municipal services and the existing zoning envisioned densities higher than the *Plan*. Lacking further guidance, staff concluded implementation of the underlying transition zone of D-3 was appropriate given that it existed prior to adoption of the *Plan* and that the *Plan* adoption process made no effort to correct the discrepancy.

For this reason, staff recommended D-3 zoning for the RDR properties. D-5 up-zoning was not recommended because it would not be consistent with either the RDR *Plan* Designation or the underlying transition zoning district.

MDR – The *Plan* intends land designated as MDR to be urban residential development for multi-family dwelling units. Densities between 5 and 20 units per acre are desired.

As noted above, transition from RR to D-3, D-5, and D-10SF would not be consistent because they are not consistent with the desire for higher density multi-family development. This means that D-10, D-15, and D-18 were zoning designation candidates that could be consistent with the *Plan*.

Staff analyzed the existing conditions and neighboring zoning and found the “transition” D-15 zoning be consistent with both the *Plan* and the neighboring D-15 property zoning.

However, it must be noted that D-18 would also be consistent with the *Plan*. Staff did not recommend the up-zoning to D-18 for two reasons: first, D-18 intends to have midrise-type developments which aren’t currently in the neighborhood, and second, because it isn’t consistent with the D-15 transition designation that the property already has.

### **Higher Density Considerations**

During the Assembly meeting, several Assembly-members inquired as to whether higher densities could be assigned to the properties.

As discussed above, only one property has the opportunity to be up-zoned further and still be consistent with the *Plan*. This is the 11 acres of land transitioning from RR to D-15. The property could be up-zoned from D-15 to D-18 (adding a potential capacity for 33 more units).

Higher densities could not be achieved within the *Plan* designations for these properties. However, it should be noted that by code, higher densities can be achieved in other zones: MU (no maximum density); MU2 (80 units per acre); LC (30 units per acre); and GC (50 units per acre).

The property between N. Douglas Highway and the property being rezoned D-15 (the Jeep dealership) is zoned LC.

### **Public Comments and Requests**

Staff held a neighborhood meeting for AME2013 0016 on June 24, 2014 but no members of the public attended. Public phone calls and comments were received after the Notice of Recommendation was issued but prior to the Assembly hearing. Comments were again raised before Assembly and the Assembly felt they warranted additional review so the case was remanded to the Commission. Comments received after the remand order and in response to the additional public notice are:

Mr. Fred Yates, neighbor at 5470 N. Douglas Highway, indicated he would like to be included in the rezone.

*Staff Response: Unfortunately, Mr. Yates' property was not transition zoned so the property was not included within the rezone proposal when it previously reviewed by the Planning Commission. Staff could not consider accommodating Mr. Yates request because the property had not been properly noticed for rezoning. Mr. Yates would need to apply for a rezone through the normal rezone application process.*

Mr. Kody & Sofia Stitz, property owners within the rezone at 5065 N. Douglas Highway, attended the Assembly Hearing to raise objections, met with staff, and submitted written comments. Mr. Stitz's written comments are attached.

*Staff Response: When meeting with Travis Goddard, CDD Planning Manager, Mr. Stitz raised concerns about the rezone because of advice he was previously given by staff, which indicated that he would be required to apply for a Conditional Use Permit to keep livestock should his property be up-zoned. He indicated that when he purchased the property, his intent was to have rabbits and goats for his children; he felt that the rezone to D-5 would harm his chances for keeping livestock. He also expressed that the City had no right to up-zone his property without his express support.*

*During that conversation, staff indicated that the rezone was intended to serve as an "opportunity creator" and to implement the desired transition to higher zoning as envisioned in the 1980's. It was not intended to limit his property rights or prevent him from keeping livestock. Staff also indicated that he was well within his rights to ask to be removed from the up-zone.*

*Staff indicated they would recommend support of his removal from the up-zone given his concerns about the effect on his property, but warned him that should he wish to rezone the property in the future, he would have to incur those rezone costs himself. Mr. Stitz understood and agreed to this because he stated he had no intention to rezone the property.*

Mr. Stitz's written comments expand on the concerns he has for his property. His comments reflect opposition to the up-zoning of not only his property but all the up-zoned parcels in the neighborhood. His attached comments include three points:

1. The property will not be able to be used for its intended purpose;
2. The proposed rezone is inconsistent with the long-standing transitional zoning of the neighborhood; and
3. The rezone is not consistent with neighborhood preservation measures and other parts of the *Comprehensive Plan*.

*Staff Response –*

*1. Staff assumes Mr. Stitz's primary concern is about the density of neighboring development affecting the enjoyment of his property, not his actual ability to live on his property.*

*Staff sympathizes with this concern but staff's responsibility is to take guidance from the Comprehensive Plan which is in turn implemented by the zoning code. As discussed above, all the rezoned zoning designations approved by the Planning Commission are consistent with the Comprehensive Plan or with the transition zoning designation.*

*2. Regardless of the zoning, each property owner has the ability to choose not to develop their property. The rezone of the property creates the opportunity for owners to increase the value of their land by adding additional dwellings or subdividing the property. Each property owner was given four separate mailings informing them that the zoning of their property would be changed. This provided them with ample opportunity to contact CDD and request to be excluded from the rezone or up-zone. Mr. Stitz is the only owner who has contacted CDD and requested to be excluded from the up-zone (but not the transition rezone).*

*It also needs to be noted that while the property has had a long history of having transitional zoning, the provision of public services were only recently provided. Therefore, the unfulfilled transition shouldn't be seen as a matter of neighborhood choice or tradition; it was a function of the fiscal realities associated with capital budgeting. Now that the transition trigger has been met, Staff had no choice but to view the up-zoning of the property as consistent with the Comprehensive Plan.*

*3. Mr. Stitz points out that there are inconsistencies between the zoning and the Plan. There also seem to be inconsistencies within the Plan itself. In the past, staff and the Planning Commission have tried to balance the competing interests and desires outlined within the Plan. To this end, staff regularly has to weigh different parts of the Plan and*

*apply their best professional judgment to assign them priority depending upon how they apply to a given case.*

*Mr. Stitz expressed that “the adopted Plan in its entirety must be adhered too and used as a basis for decisions.” This is only true to a point because it assumes that consistency is black and white. For example, this logic assumes that a D-3 residential development can meet every goal for residential development, as well as all the goals for commercial development, industrial development, natural resource preservation, historic preservation, etc. For this reason, consistency with the “entire plan” is a review standard that would be nearly impossible to meet for any project. Staff instead reviews for general consistency and ensures that projects are generally fulfilling the goals of the community as set forth in the Plan.*

*The stated goals for housing support the approval of increased densities wherever possible, as consistent with the Plan. This logic is what led to the staff recommendation as outlined in the staff report. Staff still finds this logic to be sound.*

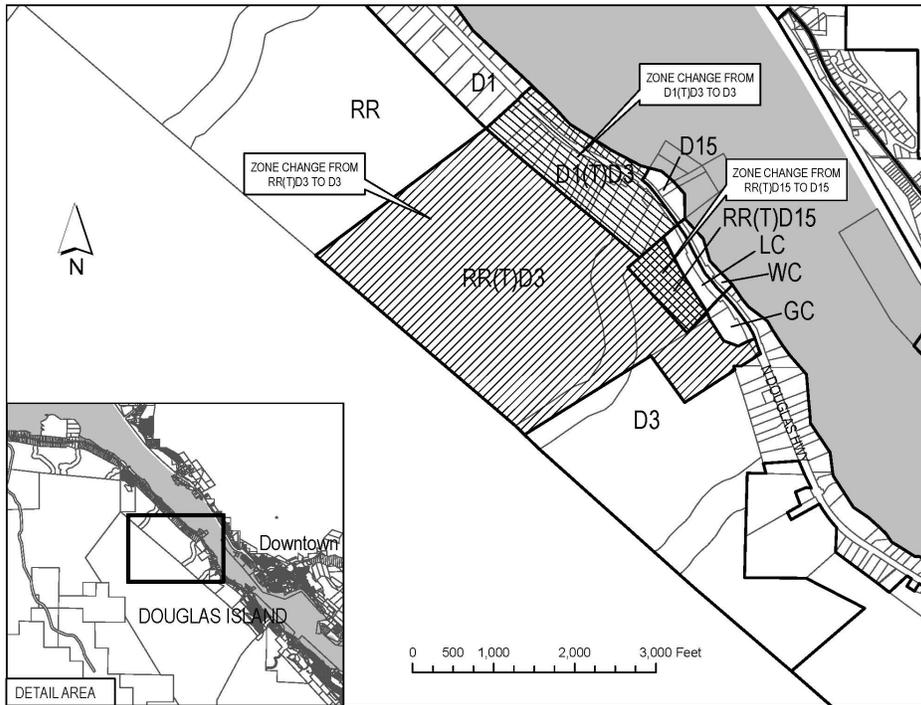
After meeting with Mr. Stitz, staff understands his concerns. Staff indicated to Mr. Stitz they would recommend that his property be excluded from the up-zone and simply be rezoned to the transition zone of D-3. Staff made this conditional upon his understanding that such an action would mean that any future rezone request for the property would be done at the owner’s expense.

### **Recommendation**

Staff recommends that the Planning Commission reaffirm its recommendation of approval of AME2013 0016 with the exception of Parcel 6D0701010040, which should be rezoned to D-3 as requested by the property owner.

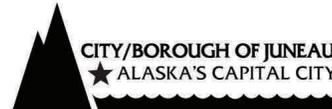


# NOTICE OF PUBLIC HEARING



**City & Borough of Juneau**  
 Community Development Department  
 155 S Seward Street • Juneau, Alaska 99801

**SHIP TO:**



**PROPOSAL:** Residential rezone of 43 parcels along North Douglas Highway.

The Planning Commission has the discretion to consider and recommend alternative rezoning designations other than that being proposed by the applicant or recommended by staff.

|                      |                                 |                      |   |
|----------------------|---------------------------------|----------------------|---|
| <b>File No:</b>      | <b>AME2013 0016</b>             | <b>Applicant:</b>    | <b>City and Borough of Juneau</b>           |
| <b>To:</b>           | <b>Adjacent Property Owners</b> | <b>Property PCN:</b> | <b>Multiple</b>                             |
| <b>Hearing Date:</b> | <b>November 25, 2014</b>        | <b>Owner:</b>        | <b>Multiple</b>                             |
| <b>Hearing Time:</b> | <b>7:00 PM</b>                  | <b>Size:</b>         | <b>285 Acres</b>                            |
| <b>Place:</b>        | <b>Assembly Chambers</b>        | <b>Zoned:</b>        | <b>RR(T)D3 and RR(T)D15</b>                 |
|                      | <b>Municipal Building</b>       | <b>Site Address:</b> | <b>1.3 — 1.9 Mile of N. Douglas Highway</b> |
|                      | <b>155 South Seward Street</b>  | <b>Accessed Via:</b> | <b>N. Douglas Highway</b>                   |
|                      | <b>Juneau, Alaska 99801</b>     |                      |   |

**PROPERTY OWNERS PLEASE NOTE:**

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

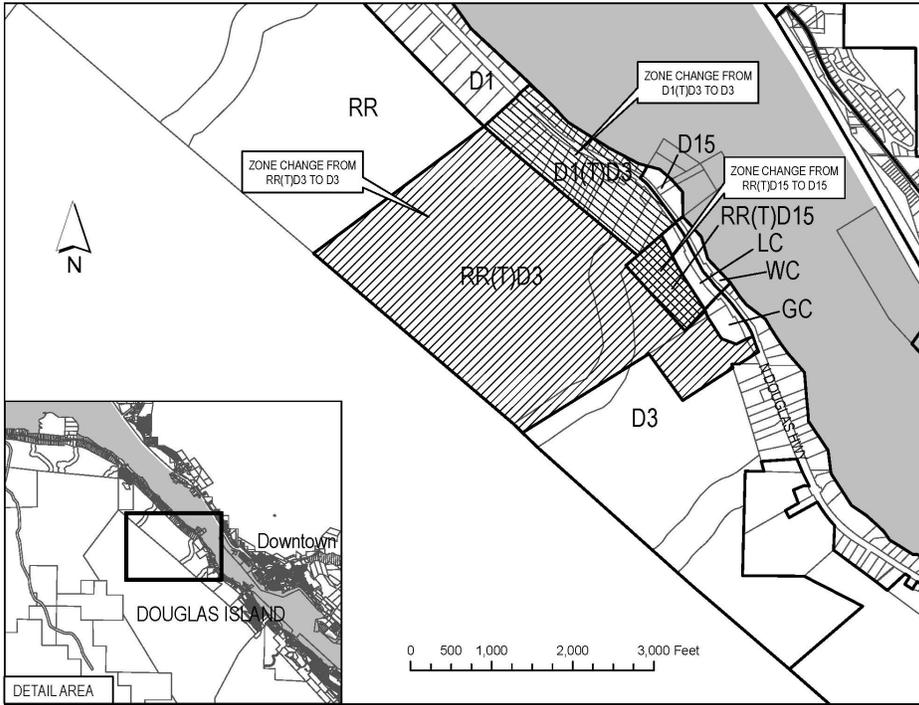


*If you have questions, please contact Travis Goddard at [travis.goddard@juneau.org](mailto:travis.goddard@juneau.org) or at 586-0715.*

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

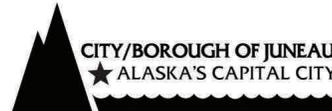


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*If you have questions, please contact Chrissy McNally at 586-0761 or christine.mcnally@juneau.org*



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## Travis Goddard

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**From:** Christine McNally  
**Sent:** Tuesday, November 04, 2014 1:21 PM  
**To:** 'travis.goddard8@gmail.com'; Travis Goddard  
**Subject:** FW: Rezone

For the North Douglas rezone memorandum

-----Original Message-----

**From:** Fred Yares [<mailto:fred12yates@gmail.com>]  
**Sent:** Tuesday, November 04, 2014 12:13 PM  
**To:** Christine McNally  
**Subject:** Rezone

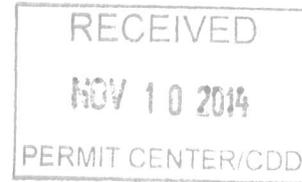
Good morning, My name is Fred Yates. My address is 5470 n Douglas I am on the boundary of the residential rezone proposal along north Douglas hwy. I would like my property to be included in this rezone. When I spoke to you on Monday you suggested I write an email to request my property to be included in this rezone.

Thank you for the consideration.  
Fred Yates

Sent from my iPhone

Planning Commission  
& Community Dev. Dep.

155 S. Seward St.  
Juneau, AK 99801



Re: North Douglas Highway Re-zone

Dear Planning Commission and Community Development,

This letter is to inform you that I fully and completely object to any proposed increases in zoning beyond D-3 at my property located at 5065 N. Douglas Highway. Further, I object to any neighborhood wide increases in zoning, beyond D-3, of the neighborhood. Juneau is in the midst of a housing crisis and I am extremely happy that the CBJ is taking steps to solve the problem. Please continue to work towards fixing the housing problem, BUT you must act in measured and predictable way and within the bounds of the CBJ Comprehensive Plan. My family and I have three primary reasons for our objections; 1: We will not be able to use our property for the reasons we purchased it. 2: The proposed re-zone departs from the long-standing transitional zoning of the neighborhood. 3: The re-zone is not consistent with neighborhood preservation measures found in the Comp Plan. Please read this letter in its entirety and give it due and fair consideration as you discuss the proposed re-zone on 25 Nov 2014.

1. My family and I purchased our home at 5065 N. Douglas Hwy in July 2014. We chose this home because it sat on a large wooded lot situated amongst other large wooded lots on the uphill side of N. Douglas Highway, making for a very rural feeling neighborhood. Additionally, my children love animals and desperately want to have pet rabbits and a miniature goat. City ordinances preclude having "farm" animals (even pets) in D-5 zoning or higher so we needed to find a home zoned D-1 or D-3 and one large enough to support the animal. Because we needed a large lot, a rural feeling neighborhood and zoning that allowed animals we were very restricted in the potential homes available to us.

We eventually found a house, but had to pay a high price for it because large lots in rural settings are in very short supply in Juneau. When we purchased this home we did our due diligence beforehand and understood that this home was zoned D-1(T)D-3. We prefer the D-1 zoning and had hoped it would last many years. Even knowing a re-zone to D-3 could happen we were still willing to buy the house because it would still be fairly rural and allow farm pets. Now, within just a couple months of buying our dream house/property all of our aspirations, dreams and enthusiasm have been destroyed because of a sudden and unpredictable change in zoning. I realize there is a housing crisis in Juneau but do not solve this crisis by forcibly changing our neighborhood from D-1(T)D-3 to D-5.

2. This neighborhood has been zoned D-1(T)D-3 since the late 1980's. That means that the City of Juneau has been signaling to both current and future landowners for more than 20+ years that this land will eventually transition to D-3. Never ever has there been any indication whatsoever that this land would transition to D-5. I reviewed public land records for all parcels located in my neighborhood that are part of the up-zone proposal to D-5. What I found was that 23 of the 24 privately owned lots have been sold and repurchased since 1990. What that means is that 96% of current owners have made a clear and overt financial decision to buy land zoned D-1(T)D-3. Changing the neighborhoods zoning to anything other than D-3 would be reckless, irresponsible and undermine a landowner's ability to rely on the CBJ's adopted planning documents to make purchasing decisions.

It is improper for CDD and the Planning Commission to assume that any landowner who is not overtly fighting against the zoning change agrees with it and desires D-5 zoning. Modern families are extremely busy and many do not engage the democratic process and provide the government with input. Do not assume that a landowner's inaction to fight against the up-zone means they agree with it. The landowners have already spoken. Just like me, they have spoken through the overt act of spending thousands of dollars on a home and land. Since 1990, 96% of the homes have been repurchased which is a clear and undeniable action by the landowners that they wanted land zoned D-1(T)D-3. I understand there may be a landowner or two who now desires to up-zone their land to D-5 and develop it. This landowner purchased land zoned D-1(T)D-3; if they now desire D-5 land they should seek out and buy land zoned D-5 or apply for a zoning change on his or her own and undergo the appropriate review process. Do not assume anyone not fighting against the re-zone desires to up-zoned and certainly do not undertake a bulk up-zone to D-5 when every CBJ planning and zoning documents for the last 20+ years has indicated a change to D-3 and landowners like myself have made buying decisions based on these plans.

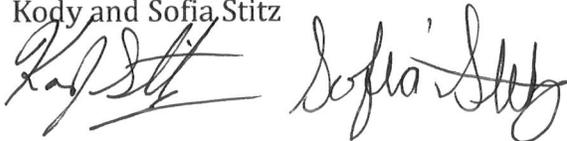
3. Lastly, a change to D-5 is not fully consistent with the adopted 2013 Comprehensive Plan. Page 14 of the Comp Plan describes rural areas of Juneau as follows: "Rural: Rural areas can be found in the forested areas west of the Mendenhall River and in Thane, North Douglas... Vacant parcels within rural neighborhoods that are provided municipal sewer service should be developed at suburban densities, although with site design and massing that reflects the rural character of the neighborhood." The adopted plan in its entirety must be adhered to and used as a basis for decisions. Please do not ignore this section of the plan that explicitly notes N. Douglas is a rural area and directs the rural character of the neighborhood to be maintained. D-5 zoning is not rural and will negatively impact the rural feel of the neighborhood.

Please also note the following excerpt from page 144 of the Plan where it cautions against using land use categories as the sole basis for development decisions. "These [land use] descriptions are intended to describe the overall character of development for each land use category and are not intended to be firm or restrictive definitions." This neighborhood is categorized as ULDR and has been since the late 1980's. There is a great deal of land categorized as ULDR in Juneau that is also zoned D-5. Places like the Mendenhall Valley, Lemon Creek, and the Twin Lakes are correctly categorized as ULDR/D-5 combination. However, N. Douglas is a very different area with a very different neighborhood character and massing. Several neighborhood areas off of Back Loop road and near Auke Lake area are correctly classified as ULDR/D-1 or ULDR/D-3 because of their rural nature. North Douglas is very similar and should have its rural character preserved by zoning it no higher than ULDR/D-3. The Plan allows for D-3 zoning in a ULDR land categorization. D-3 is what CBJ has planned for this area for over 20 years and represents a good fit for the area because it maintains the rural character of the area while allowing a reasonable level of in-fill development to occur.

Thank you for taking the time to read this letter. It is my family's sincere hope that you have read this letter with an open and un-biased mindset. Yes, there is a housing crisis in Juneau that must be solved. Please work towards solving the housing problem, but do not do it on the backs of private landowners who already have a home. For over 20 years, people like me have made home buying decisions based on the D-1(T)D-3 zoning density of this neighborhood. We have plans and aspirations for our land and the sudden push to up-zone the land to D-5 is negatively impacting us. A D-3 zoning density is consistent with the Comp Plan, will maintain the rural feel and character of the neighborhood and yet allow a reasonable level of additional development. Please stick with the original plan and transition this neighborhood D-3.

Sincerely,

Kody and Sofia Stitz

Handwritten signatures of Kody and Sofia Stitz. The signature on the left is Kody's, and the signature on the right is Sofia's. Both are written in black ink.

5065 N. Douglas Hwy  
Juneau, AK 99801

# MEMORANDUM

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

**DATE:** August 18, 2014

**TO:** Planning Commission

**FROM:** Chrissy McNally, Planner *Chrissy McNally*  
Community Development Department

**FILE NO.:** AME2013 0016

**PROPOSAL:** Rezone property from RR(T)D3, D1(T)D3, and RR(T)D15 to D3 and D15 along North Douglas Highway.

Applicant: City and Borough of Juneau

Property Owner: City and Borough of Juneau, Multiple

Property Address: North Douglas Highway

Site Size: 285 Acres

Zoning: RR(T)D3, D1(T)D3, RR(T)D15

Comprehensive Plan  
Land Use Designations: MDR, ULDR, RDR, SC (Maps K & L)

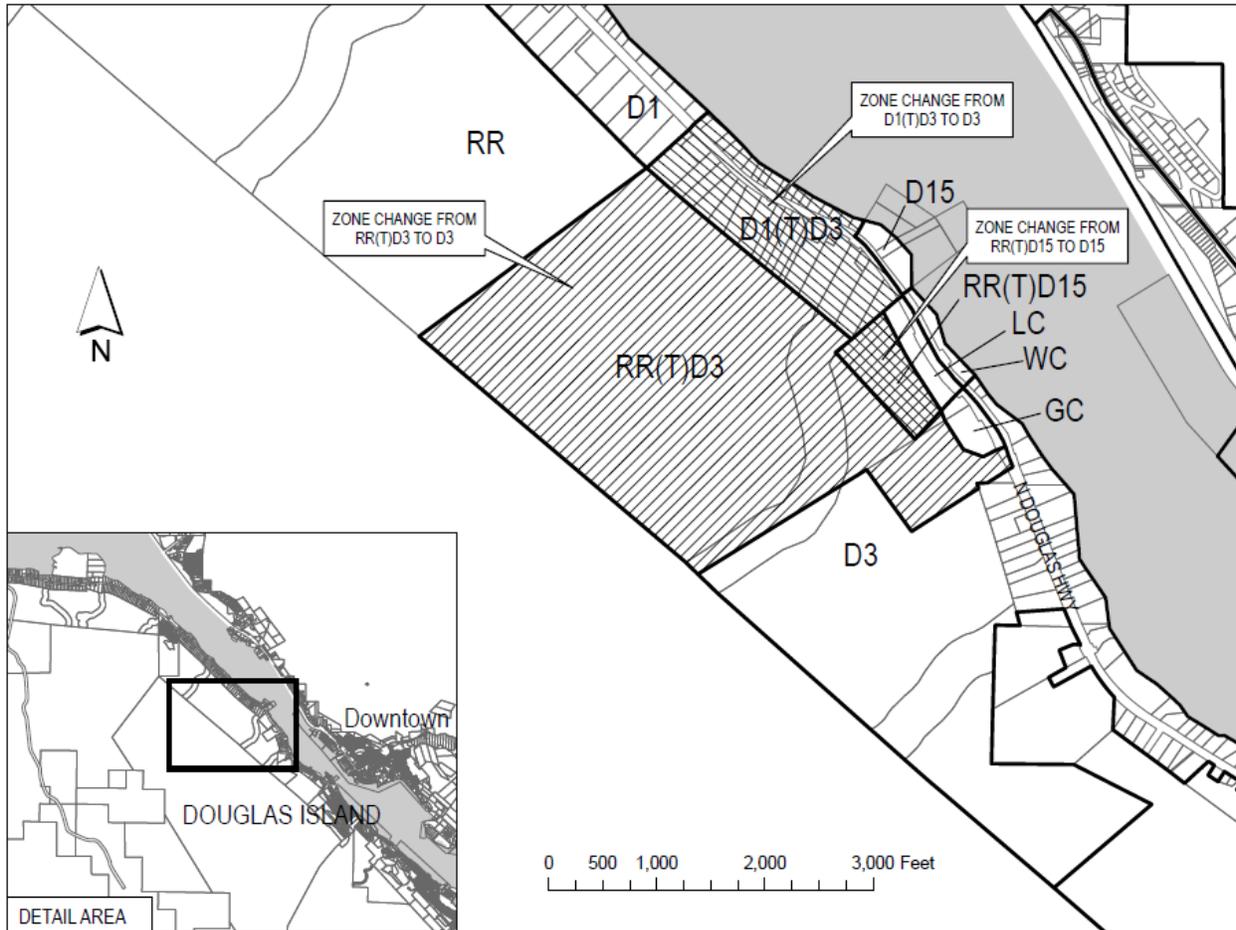
Utilities: CBJ water and sewer

Access: North Douglas Highway

Existing Land Use: vacant, single family, duplex, multifamily, commercial

Surrounding Land Use: North- Rural Reserve/D1  
South- D3/D18  
East - Gastineau Channel  
West - Rural Reserve

**VICINITY MAP**



- Attachment A: Comprehensive Plan Land Use Maps
- Attachment B: 2009 Traffic impact analysis study areas map
- Attachment C: Ordinance 89-07
- Attachment D: Ordinance 99-01AM
- Attachment E: Ordinance 97-01AM
- Attachment F: Public notice
- Attachment G: Neighborhood meeting notice

| <b>Parcel Code No.</b> | <b>Legal Description</b> | <b>Current Zoning</b> | <b>Transition Zone</b> | <b>Acres</b> |
|------------------------|--------------------------|-----------------------|------------------------|--------------|
| 6D0701000031           | USMS 2225 Tract 1        | RR                    | D15                    | 11           |
| 6D0611000010           | USS 4605 FR              | RR                    | D3                     | 200          |
| 6D0611000012           | USS 4605 FR              | RR                    | D3                     | 18.35        |
| 6D0601150011           | Channel View Lot 1       | RR                    | D3                     | 15.41        |
| 6D0701000020           | Triangle Lot 3           | RR                    | D3                     | 1.03         |
| 6D0701010171           | USS 2960 Lot 7A          | D1                    | D3                     | 0.83         |
| 6D0701010172           | USS 2960 Lot 7B          | D1                    | D3                     | 2.75         |
| 6D0701010161           | USS 2960 Lot 8B          | D1                    | D3                     | 1.5          |
| 6D0701010162           | USS 2960 Lot 8A          | D1                    | D3                     | 1.5          |
| 6D0701010150           | USS 2960 Lot 9A          | D1                    | D3                     | 1.67         |
| 6D0701010140           | USS 2960 Lot 9B          | D1                    | D3                     | 1.66         |
| 6D0701010130           | USS 2960 Lot 10 FR       | D1                    | D3                     | 1.88         |
| 6D0701010120           | USS 2960 Lot 10 FR       | D1                    | D3                     | 1.92         |
| 6D0701010110           | Deep Lots Lot 11A        | D1                    | D3                     | 1.04         |
| 6D0701010100           | Deep Lots Lot 11B        | D1                    | D3                     | 1.08         |
| 6D0701010090           | Deep Lots Lot 11C        | D1                    | D3                     | 1.13         |
| 6D0701010080           | Deep Lots Lot 11D        | D1                    | D3                     | 1.17         |
| 6D0701010070           | USS 2960 Lot 12A         | D1                    | D3                     | 1.26         |
| 6D0701010071           | USS 2960 Lot 12B         | D1                    | D3                     | 2.23         |
| 6D0701010060           | USS 2960 Lot 13 FR       | D1                    | D3                     | 0.29         |
| 6D0701010050           | USS 2960 Lot 13 FR       | D1                    | D3                     | 3.39         |
| 6D0701010040           | USS 2960 Lot 14 Tract 2  | D1                    | D3                     | 3.2          |
| 6D0701010030           | USS 2960 Lot 14 Tract 1  | D1                    | D3                     | 0.61         |
| 6D0701010020           | USS 2960 Lot 15          | D1                    | D3                     | 3.54         |
| 6D0701010010           | USS 2960 Lot 16          | D1                    | D3                     | 1.53         |
| 6D0701080160           | USS 2960 Lot 6 Tract 1   | D1                    | D3                     | 0.28         |
| 6D0701080152           | USS 2960 Lot 6 Tract 2   | D1                    | D3                     | 0.72         |
| 6D0701080151           | USS 2960 Lot 6 Tract 2A  | D1                    | D3                     | 0.38         |
| 6D0701080140           | USS 2960 Lot 5 Tract A   | D1                    | D3                     | 0.44         |
| 6D0701080130           | USS 2960 Lot 5 Tract B   | D1                    | D3                     | 0.44         |
| 6D0701080120           | USS 2960 Lot 5 Tract C   | D1                    | D3                     | 0.43         |
| 6D0701080111           | Scott Lot 6              | D1                    | D3                     | 0.28         |
| 6D0701080112           | Scott Lot 7              | D1                    | D3                     | 0.27         |
| 6D0701080100           | Scott Lot 5              | D1                    | D3                     | 0.41         |
| 6D0701080090           | Scott Lot 4              | D1                    | D3                     | 0.26         |

|              |                   |    |    |      |
|--------------|-------------------|----|----|------|
| 6D0701080080 | Scott Lot 3       | D1 | D3 | 0.26 |
| 6D0701080070 | Scott Lot 2       | D1 | D3 | 0.27 |
| 6D0701080060 | Scott Lot 1       | D1 | D3 | 0.24 |
| 6D0701080050 | Graham Lot 3A     | D1 | D3 | 0.28 |
| 6D0701080040 | Graham Lot 3B     | D1 | D3 | 0.23 |
| 6D0701080030 | Graham Lot 3C     | D1 | D3 | 0.24 |
| 6D0701080020 | Graham Lot 3D     | D1 | D3 | 0.25 |
| 6D0701080010 | USS 2960 Lot 2 FR | D1 | D3 | 0.31 |

## **BACKGROUND**

The rezone of 43 parcels along North Douglas Highway extending from mile 1.3 to 1.9 was initiated by Community Development staff. The area is identified as a transition zone, RR(T)D3, RR(T)D-15, and D1(T)D3. The area has remained a transition zone in anticipation of City sewer installation. Sewer installation was completed in the summer of 2013.

Prior to 1984 the area was a mixture of zoning districts that included Low Density Multi-Family Residential District (RML), Residential Waterfront Commercial District (CWR), Residential District (R12) and Residential Reserve (R40). In 1987 zoning districts were amended on a borough wide scale. The zoning for these parcels was changed to RR(T)D3 and D1(T)D3.

## **Discussion**

The area discussed in this staff report is currently zoned D1(T)D-3, RR(T)D3, and RR(T)D-15. CBJ§49.70, Article VII addresses transition zones. CBJ§49.70.700 states that a transition zone is an overlay zoning district for certain lands that are set aside for higher density development after public water and sewer have been provided. It further states that the increase in density will take place at the time public services are provided. Public water has been available for some time, and public sewer installation was completed in the summer of 2013.

The following language is provided by the CBJ Land Use Code to describe the zoning designations:

CBJ 49.25.200 describes the Rural Reserve (RR) zoning district as follows:

*The RR, rural reserve zoning district, is intended for lands primarily in public ownership managed for the conservation and development of natural resources and for future community growth. In addition, recreation cabins, lodges and small seasonal recreational facilities may be allowed.* (emphasis added)

CBJ 49.25.210 (a) describes the D-1 zoning district as follows:

*The D-1, residential district, is intended to accommodate primarily single-family and duplex residential development in areas outside the urban service boundary at a density of one unit per acre. Certain D-1 zoned lands, however, may exist within the urban service boundary in transition areas if public sewer or water are absent but planned for. The D-1 classification will be changed to a higher density upon provision of services.* (emphasis added)

CBJ 49.25.210 (b) describes the D-3 zoning district as follows:

*The D-3, residential district is intended to accommodate primarily single-family and duplex residential development at a density of three dwelling units per acre. **D-3 zoned lands are primarily located outside the urban service boundary where public utilities are not provided.** The density reflects the existing pattern of development of properties in the district. There is a limited amount of D-3 zoned lands located within the urban service boundary. **These are lands for which a lower density is deemed appropriate or, in the case of transition zones, where the zoning will be changed to a higher density when sewer and water are provided.** (emphasis added)*

CBJ 49.25.210 (e) describes D-15 as follows:

*The D-10 and D-15 residential districts are intended to accommodate primarily multi-family residential development at a density of ten and 15 dwelling units per acre respectively. These are relatively low-density multi-family districts.*

The 2013 Comprehensive Plan land use maps K and L show a variety of land use designations in the area (See attachment A). Four parcels are partially designated Medium Density Residential (MDR). These include parcels 6D0601150011 and 6D0701000020 designated for transition from RR to D3 and parcel 6D0701000031, designated for transition from RR to D-15. A portion of this 14.7 acre parcel was zoned Light Commercial with Ordinance 89-07 (See attachment C). Additionally, the southeast corner of the nearly 200 acre parcel, 6D0611000010, is designated MDR.

The approximately 200 acres of CBJ owned land designated for transition from RR to D3 is shown primarily as Urban Low Density Residential (ULDR). In addition, there is a 400 foot wide buffer along Eagle Creek which is designated SC which means Stream Protection Corridor. The total area of RR(T)D3 is approximately 216 acres.

The remaining 38 parcels are designated for transition from D1 to D3. Of these parcels, 26 are shown as ULDR on the Comprehensive Plan maps and 12 are shown as Rural Dispersed Residential (RDR).

The plan describes MDR (page 147) as follows:

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

The plan describes ULDR (page 147) as follows:

*These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acres. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).*

The plan describes RDR (page 147) as follows:

*These lands are characterized by dispersed, very low density **development not provided with municipal sewer or water.** Densities are intended to permit one dwelling unit per acre or larger lot sizes, based on existing platting or the capability of the land to accommodate on-site septic systems and wells. Uses may also include small-scale visitor-oriented, seasonal recreational facilities. (emphasis added)*

The plan describes SC (page 145) as follows:

*On CBJ-owned lands, a SC-Stream Protection Corridor designation serves to protect anadromous fish streams and their tributaries from development that could cause pollution, erosion, depletion of groundwater infiltration or otherwise could degrade the stream corridor and its biological functions. Upon first designation, a 200 foot wide corridor on both sides of the bank would be included within the designated corridor along anadromous fish water bodies included within the Alaska Department of Fish and Game Inventory adopted by the CBJ Assembly. However, this “base” designation should be revised and the length and breadth of the specific corridor should be determined by a scientific/biological assessment of the functionality and habitat value of the particular stream segment; the width and length of the protected corridor may be more or less than the 200-foot base protection zone. No development should be permitted other than passive, non-motorized trails, their support systems and, under special circumstances, roads and parking areas necessary to the maintenance and protection of the resources therein or to facilitate managed non-motorized public access for education and passive recreation activities. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities. The CBJ should retain ownership of these lands.*

CBJ 49.75.120 places restrictions on rezoning. One of these restrictions is that a rezoning shall not allow uses which violate the land use maps of the comprehensive plan.

## **ANALYSIS**

### **Zone Change Initiation**

CBJ §49.75.110. INITIATION. A rezoning may be initiated by the director, the commission or the assembly at any time during the year. A developer or property owner

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

1. Were the proposed zone changes initiated by the property owner during the appropriate time frame?

**Yes.** Application for AME2013 0016 was submitted by the director on December 20, 2013.

2. Did the director provide adequate public notice through newspaper advertising, property owner mailings and requiring a public notice sign to be posted on-site as required by CBJ§49.15.230, Public Notice Requirements?

**Yes.** The public was notified through newspaper advertising published on Friday, August 15, 2014 and Monday, August 25, 2014, mailings to owners of all properties within 500 feet of the subject properties, and a public notice sign posted on-site for two weeks prior to the Planning Commission hearing on the rezone request.

### **Restrictions and Procedure**

CBJ §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. Requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall not allow uses which violate the land use maps of the comprehensive plan.

The CBJ Land Use Code provides minimum restrictions for zone change requests. This proposal conforms to these restrictions as follows:

The entire area, as proposed for rezoning is greater than 2 acres. The proposed area for transition from RR and D1 to D-3 is 274 acres and is an expansion of an existing zoning district. The area proposed for transition from RR to D-15 is 11 acres and not part of an expansion of an existing zoning district. However, the proposed rezone to D-15 is consistent with the MDR designation shown on the maps of the Comprehensive Plan and is greater than 2 acres.

CBJ§49.70, Article VII addresses Transition Zones. CBJ§49.70.700 states that a transition zone is an overlay zone district for certain lands that are set aside for higher density development after public water and sewer have been provided. It further states that the increase in density will take place at the time public services are provided. As stated previously, public water has been available for some time, and public sewer installation was completed in the summer of 2013.

## **Land use**

The area is made up of 43 individual lots. The majority of the transition area is a nearly 200 acre portion of a CBJ owned parcel. Of the 38 parcels designated to transition to D3, eight are vacant twenty of them are developed with single family homes; five are developed with single family homes with accessory apartments; two are developed with duplexes and three with triplexes. These lots range in size from 10,018 square feet to 3.54 acres.

The approximately 200 acres of CBJ owned land designated for rezoning is part of a larger vacant 654 acre parcel. This parcel was part of the Community Development Department's 2006 Buildable Sites study. Buildable land was considered to have less than an 18% slope and absent of Category A or B wetlands. The area in the transition zone is a bench consisting mostly of Category B wetlands. The 2006 study determined only 10% or 65 acres of the entire 654 acre parcel developable. There is currently no developed access road to this parcel. CBJ Lands and Resources Manager, Greg Chaney provided the following comments on the rezone:

*“Given that this area has some locations that represent development challenges, in the future multifamily zoning might be appropriate so that development could be clustered in the best sites. Until this time, the proposed D3 zoning will serve our needs as a placeholder.”*

The parcel designated for partial transition to D-15 is the site of an inactive gravel pit. A portion of the parcel is zoned Light Commercial. As previously stated, this parcel was partially rezoned to Light Commercial in 1989. The purpose of this rezone was to provide an appropriate designation for a permitted gravel pit. In 1997 the remaining portion of the lot was rezoned from RR(T)D3 to RR(T)D-15 with the approval of MAP-ZC96-03 in order to create a better transition from Light Commercial for future development (Attachment E).

To the east of the Light Commercial zone is parcel 6D0701000020, partially zoned General Commercial. This rezone occurred with Ordinance 99-01AM (Attachment D). This lot is restricted to motor vehicle sales and repairs and is the site of Mike Hatch Jeep. The area of parcel 6D0701000020 designated to be rezoned from RR to D3 is vacant.

## **Density**

The requested D-3 zone would allow for up to 3 dwellings per acre. Already developed lots could potentially accommodate additional dwelling units each based on individual lot size. Current zoning will allow for 1 unit per acre on each of the 43 lots in the transition area. A total of 44 units currently exist on the subject parcels. An upgrade in zoning density provides for a potential maximum of 161 dwelling units.

Without considering topographical and other design constraints, the eleven privately owned vacant lots combined area could potentially support 54 units. The maximum potential density could be as high as 259 units if the entire area was built out to its highest potential.

The requested D-15 zone would allow for 15 units per acre. The subject area is 11 acres, therefore, this site could allow for 165 units.

A D-3 and D-15 zoning designation would allow for some lots to be subdivided. For lots currently zone RR(T)D-3 and D-1(T)D-3 the minimum lot size will decrease from 36,000 square feet to 12,000 square feet with a transition to D3. The parcel to transition from RR to D-15 will have the minimum lot size decrease from 36,000 to 5,000 square feet.

However, according to the CBJ roadway classification maps North Douglas Highway is classified as a minor arterial. Based on CBJ 49.40.130(b) lots resulting from a subdivision of land seeking new access via a minor arterial must meet the D1 zoning district lot area standards.

This requirement is found in the "Access" section of Title 49. This section is intended to minimize the number of driveways, and vehicles accessing the minor arterial. Therefore, excluding the large CBJ owned parcel, 17 lots would eligible for subdivision without the need for an approved variance. However, most lots will be able to add dwelling units without subdividing. Any new access onto North Douglas Highway would require approval of the Alaska Department of Transportation and Public Facilities (DOT&PF). DOT&PF classifies North Douglas Highway as a collector.

While solicited, comments from the Fire Marshall were not received specific to this rezone. The Fire Marshall will be consulted regarding any future development proposals.

### **Comprehensive Plan**

As mentioned earlier, the entire area is shown on Maps K and L (pgs 161 & 162) of the 2013 Comprehensive Plan. The area is shown as Rural Dispersed Residential (RDR), Urban Low Density Residential (ULDR), and Medium Density Residential (MDR) and the area around Eagle Creek as a Stream Protection Corridor (SC).

Parcels 6D0601150011, 6D0701000020, and 6D0611000010 are each either in part or in whole designated for transition to D-3 and are designated as MDR on the Comprehensive Plan maps. A D-3 zoning designation is not consistent with the MDR designation which calls for 5 to 20 units per acre. A zoning designation of D-5, D-10, D-15, or D-18 would be consistent with the MDR land use designation. However, rezoning to any zone other than D-3 will require approval by the Assembly.

Parcel 6D0701000031 is designated for transition to D-15. This parcel is designated as MDR on the Comprehensive Plan maps. The D-15 zone is consistent with the MDR designation.

For those parcels zoned D-1(T)D-3 and the remainder of the large CBJ owned parcel, a zoning designation of D-3 is not entirely consistent with the ULDR designation provided by the Comprehensive Plan maps. The ULDR designation calls for 1 to 6 units an acre and is intended

for common wall development, which is allowed in the D-5 zoning district but not in the D-3 zoning district. These parcels could be rezoned to D-5 and be more consistent with the ULDR designation. D-5 is consistent with the maps of the comprehensive plan but would require approval by the Assembly.

Further inconsistency exists between those parcels zoned D-1(T)D-3 that are designated RDR by the Comprehensive Plan. An RDR designation is consistent with the D-1 zoning district as it calls for 1 unit an acre and no municipal sewer. These lots now have city sewer service. The RDR land use designation does not align with the provision of city water and sewer. However, given the installation of public sewer and several policies of the Comprehensive Plan that support increased density, a transition to D-3 would be appropriate.

The Comprehensive Plan offers general guidance for residential development:

**Policy 10.1** (page 129) states it is the policy of the CBJ “to facilitate availability of sufficient land with adequate public facilities and services for a range of housing types and densities to enable the public and private sectors to provide affordable housing opportunities for all CBJ residents.”

**SOP2** (page 130) states “Designate sufficient land on the Comprehensive Land Use Maps and zoning maps to provide for a full range of housing types and densities desired by CBJ households. Provide choices in residential neighborhood character such that residents can choose to live in urban, suburban and rural residential settings and neighborhoods.”

**Policy 10.3** (page 131) states it is the policy of the CBJ to “facilitate residential developments of various types and densities that are appropriately located in relation to site considerations, surrounding lands uses, and capacity of public facilities and transportation systems.”

The proposed rezoning is within Subarea 8 of the 2013 Comprehensive Plan. The Plan (page 190) states that when recognizing the growth potential of this area the limitation of the North Douglas Highway and the Juneau-Douglas Bridge must also be considered. On page 192 *Guideline and Considerations* number 4 states in part that when city water and sewer are provided, more efficient use of the land should be encouraged. It also states that residential densities should be increased when, and where roads, terrain, and other public services would provide carrying capacity for the additional residential population.

Therefore, given the recent installation of City sewer services, this transition to a higher density is in general conformity with the 2013 Comprehensive Plan.

### **Traffic and Access**

As mentioned above, North Douglas Highway and the Juneau-Douglas Bridge create limitations for future development. This is why CBJ commissioned a Traffic Impact Analysis (TIA) prior

to evaluating previous rezoning requests adjacent to the subject area. The conclusions of this TIA are relevant to the rezone considered in this staff report.

The TIA Study Area evaluated potential future traffic impacts along the North Douglas Highway from the roundabout to just past Nelson Creek. The TIA further broke the study area up into three sections. The subject area is within study area 2 (Attachment B). The study concludes that traffic generated by future development along North Douglas Highway will negatively impact the level of service (LOS) at the Douglas roundabout and at the intersection of Egan Drive and 10<sup>th</sup> Street. On page 3-22 the study estimated how much additional traffic could be added before LOS F is reached. The study concludes that at 10<sup>th</sup> and Egan the limiting time is PM peak hour. The TIA states the intersection can accommodate 517 additional vehicles before reaching LOS F. For the Douglas roundabout the limiting time is the AM peak hour, and 334 additional vehicles can be accommodated before LOS F is reached.

The TIA also notes that access road schemes for future development in the study area have not been established (pg 3-27). Future driveways and access roads will be subject to the DOT&PF permitting process. However, the TIA recommends that access points for new developments should be aggregated to the extent possible, and access roads should be spaced at least one quarter mile from adjacent access roads.

In response to a request for comment on this rezone DOT&PF expressed concern with future access points and would like to see them limited. DOT&PF commented that it is difficult to comment without specific development plans. Access is addressed with the subdivision ordinance mentioned previously requiring any additional lots that sought new access onto a minor arterial to meet the D-1 zoning district minimum lot size of 36,000 square feet. If access was to be shared with an existing lot, this standard would not apply.

CBJ Title 49 may also require future applications for development to submit traffic impact analyses. This places the burden of mitigation on the developer whose proposal triggers the number of trips that requires mitigation.

## **Summary**

There is an inconsistency with the definition of the D-3 zoning district and transitioning 42 parcels to this zoning designation. As stated on page 6 of this report, the D-3 zoning district is intended to exist primarily outside of the urban service boundary or as the zoning designation before a transfer to a higher density. However, the D-3 zoning designation may be applied where generally lower densities are considered appropriate. Therefore, while D-3 is not entirely inconsistent, a D-5 zoning designation for those lots designated ULDR should be considered.

While density of 3 units per acre is consistent with the ULDR designation of the Comprehensive Plan, it is not consistent with the MDR designation. A D-5 zoning designation is more consistent with the ULDR and MDR designations. Further, a D-15 zoning designation is consistent with

MDR and would great a continuous D-15 zone next to the Light Commercial and General Commercial zones.

A recommendation of D-5 or higher must be approved by the Assembly. Only the transitions to D-3 and D-15 can be approved by the Planning Commission. Should the Planning Commission approve any zoning other than the mapped transitions, staff recommends holding an additional neighborhood meeting before seeking Assembly action.

### **FINDINGS**

After review of the application materials, the CBJ Land Use Code and the CBJ Comprehensive Plan the Director makes the following findings:

1. The request meets the submittal requirements and the rezoning initiation, zone change restrictions and procedural requirements of the CBJ Land Use Code.
2. D-3 zoning substantially conforms to Land Use maps K and L of the Comprehensive Plan for those lots designated as ULDR, RDR and SC.
3. D-15 zoning substantially conforms to Land Use maps K and L of the Comprehensive Plan for those lots designated MDR.

### **RECOMMENDATION**

Staff recommends the following:

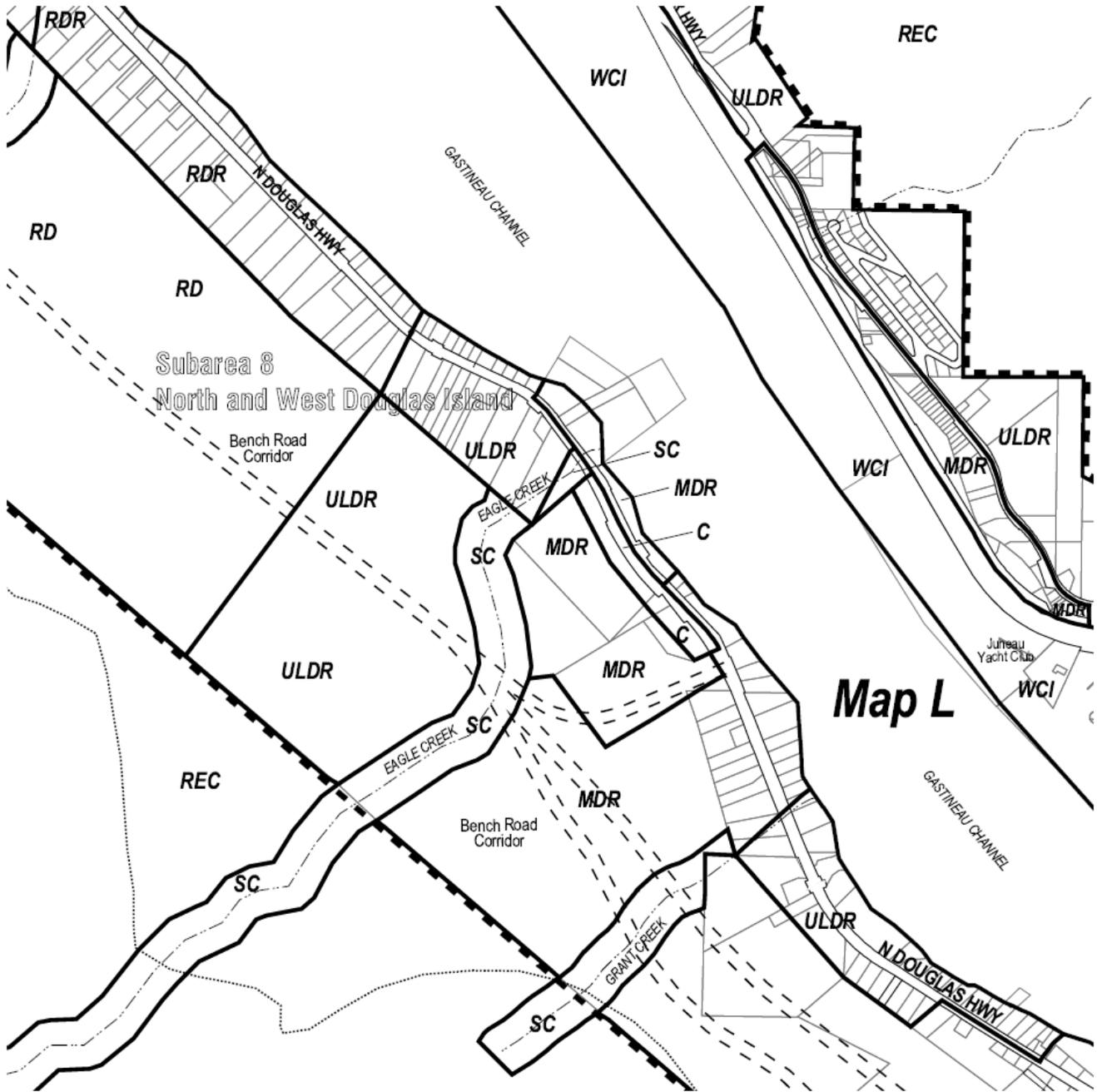
1. Approve the zone transition from RR to D-15.
2. Approve the zone transition from D1 to D-3 for those lots designated RDR on the Land Use maps of the Comprehensive Plan.

Additionally, staff recommends consideration of the following:

1. An upzone to D5 for lots designated as ULDR on the Land Use maps of the Comprehensive Plan.
2. An upzone to D-15 for lots designated as MDR on the Land Use maps of the Comprehensive Plan.

Should the Planning Commission approve any zoning other than the mapped transitions, staff recommends holding an additional neighborhood meeting before seeking Assembly action.

2013 Comprehensive Plan Land Use Map





ATTACHMENT B

Presented by: The Manager  
Introduced: 02/13/89  
Drafted by: B.J.B.

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 89-07

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY AND BOROUGH TO CHANGE THE ZONING OF A PORTION OF LOT 3, U.S. SURVEY 3381 FROM RR(T)D-3 (RURAL RESERVE TRANSITION TO D-3 RESIDENTIAL), TO GC, GENERAL COMMERCIAL; AND TO CHANGE THE ZONING OF A PORTION OF U.S. MINERAL SURVEY 2225 FROM RR(T)D-3 TO LC, LIGHT COMMERCIAL.

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

\* Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the city and borough code.

\* Section 2. Amendment of Official Zoning Map. The official zoning map of the city and borough adopted pursuant to CBJ 49.25.110 is amended as shown on the attached Exhibit "A" to change the zoning of a portion of Lot 3, U.S. Survey 3381, from RR(T)D-3 (rural reserve transition to D-3 residential) to GC, general commercial; and to change the zoning of a portion of U.S. Mineral Survey 2225 from RR(T)D-3 to LC, light commercial; with the following conditions:

(a) Access to and from North Douglas Highway shall be restricted to one driveway located in the vicinity of the common property line between Lot 3, U.S. Survey 3381, and U.S. Mineral Survey 2225; and

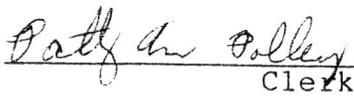
(b) The owner of Lot 3, U.S. Survey 3381, shall submit a site plan of the automobile dealership located on the property to the design review board for review and approval.

\* Section 3. Effective Date. This ordinance shall be effective thirty days after its adoption.

Adopted this 6th day of March, 1989.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk

Received  
on

MAR 05 1999

CBJ  
Permit Center

Presented by: The Manager  
Introduced: 01/04/99  
Drafted by: J.R. Corso

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 99-01am

### **An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of Lot 2, Channel View Subdivision.**

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

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the city and borough code.

**Section 2. Amendment of Official Zoning Map.** The Official Zoning Map of the city and borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of Lot 2, Channel View Subdivision from RR(T)D3 (Rural Reserve Transitional to D-3 Residential) to GC (General Commercial). The area of changed zoning is shown on the attached Exhibit "A."

**Section 3. Conditions.** The zone change shall be subject to either of the following sets of conditions, one of which the developer must select and satisfy prior to issuance of any building or development permit for the property:

(a) Option 1.

(1) A driveway permit shall be obtained from the Alaska Department of Transportation and Public Facilities for access to the existing commercial use; all improvements required by the permit shall be completed, and any proposed access solution shall be compatible with existing access restrictions.

(2) The use of the property shall be restricted to motor vehicle sales and repair.

(3) Compliance with all conditions will be determined by the Director of the Community Development Department.

(b) Option 2.

(1) The use of Lot 2, Channel View Subdivision, for a portion of the existing commercial use, and the resulting access to North Douglas Highway, shall be discontinued.

(2) That the existing physical access from Lot 2, Channel View Subdivision to North Douglas Highway be blocked.

(3) The use of the property shall be restricted to motor vehicle sales and repair.

\* Section 3. Effective Date. This ordinance shall be effective thirty days after its adoption.

Adopted this 6th day of March, 1989.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk

Presented by: The Manager  
Introduced: 09/15/97  
Drafted by: J.R. Corso

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 97-38**

**An Ordinance Amending the Official Zoning Map of the City and Borough to Change the Zoning of a Portion of Tract 1, USMS 2225, an Area Generally Described as 2 Mile North Douglas Highway.**

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

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the city and borough code.

**Section 2. Amendment of Official Zoning Map.** The Official Zoning Map of the city and borough adopted pursuant to CBJ 49.25.110 is amended to change the zoning of a portion of Tract 1, USMS 2225, an area generally described as 2 Mile North Douglas Highway, from RR (T) D-3 (Rural Reserve Transitional to Single-Family/Duplex Residential) to RR (T) D-15 (Rural Reserve Transitional to Multi-Family Residential), exclusive of the LC, Light Commercial, portion. The described area is shown on the attached Exhibit "A."

**Section 3. Effective Date.** This ordinance shall be effective thirty days after its adoption.

Adopted this 6<sup>th</sup> day of October, 1997.

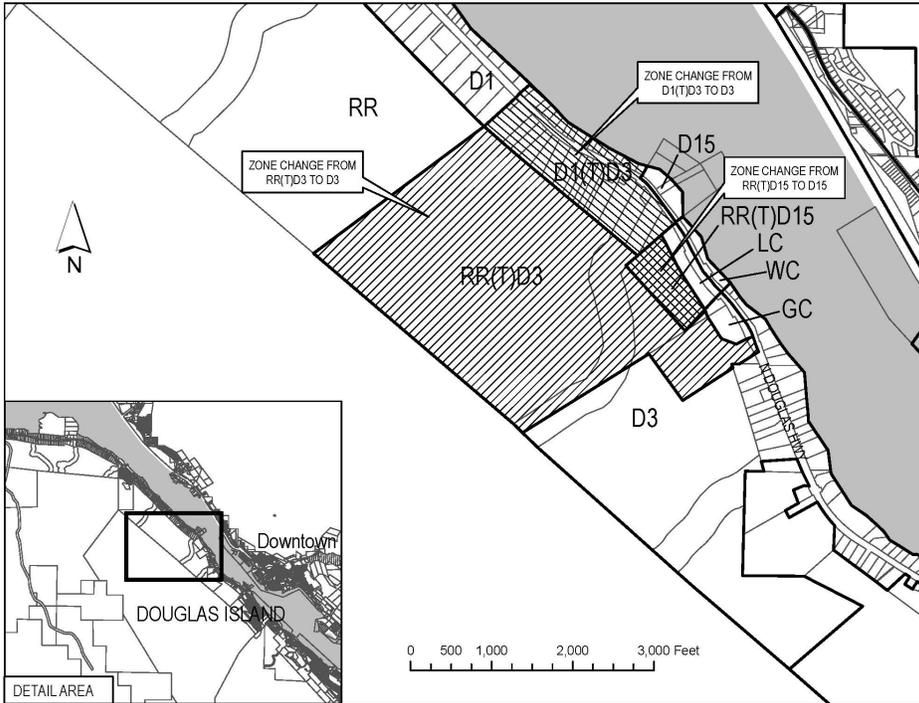
  
\_\_\_\_\_  
Dennis Egan, Mayor

Attest:

  
\_\_\_\_\_  
Marian J. Miller, Clerk



# NOTICE OF PUBLIC HEARING



**City & Borough of Juneau**  
 Community Development Department  
 155 S Seward Street • Juneau, Alaska 99801

**SHIP TO:**



**PROPOSAL:** Rezone of approximately 245 acres of RR(T)D3 to D3 and RR(T)D15 to D15 and approximately 40 acres of D1(T)D3 to D3 along North Douglas Highway.

|                      |                                 |                      |   |
|----------------------|---------------------------------|----------------------|---|
| <b>File No:</b>      | <b>AME2013 0016</b>             | <b>Applicant:</b>    | <b>City and Borough of Juneau</b>           |
| <b>To:</b>           | <b>Adjacent Property Owners</b> | <b>Property PCN:</b> | <b>Multiple</b>                             |
| <b>Hearing Date:</b> | <b>August 26, 2014</b>          | <b>Owner:</b>        | <b>Multiple</b>                             |
| <b>Hearing Time:</b> | <b>7:00 PM</b>                  | <b>Size:</b>         | <b>285 Acres</b>                            |
| <b>Place:</b>        | <b>Assembly Chambers</b>        | <b>Zoned:</b>        | <b>RR(T)D3 and RR(T)D15</b>                 |
|                      | <b>Municipal Building</b>       | <b>Site Address:</b> | <b>1.3 — 1.9 Mile of N. Douglas Highway</b> |
|                      | <b>155 South Seward Street</b>  | <b>Accessed Via:</b> | <b>N. Douglas Highway</b>                   |
|                      | <b>Juneau, Alaska 99801</b>     |                      |   |

**PROPERTY OWNERS PLEASE NOTE:**

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

*If you have questions, please contact Chrissy McNally at 586-0761 or christine\_mcnally@ci.juneau.ak.us*



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

**ATTACHMENT F**



**NOTICE OF NEIGHBORHOOD MEETING  
FOR TRANSITION ZONE**

Assembly Chambers  
Wednesday, June 25, 6:30-7:30 p.m.

June 3, 2014

Dear Resident,

You are receiving this letter because your property is zoned either RR(T)D3, RR(T)D15, or D1(T)D3. The CBJ Community Development Department initiated a Zone Change Application for properties in transition zones along mile 1.3 and 1.9 of North Douglas Highway. Enclosed you will find a list of all the properties in the transition area.

The CBJ Community Development Department is hosting a neighborhood meeting to explain the details and the CBJ rezone process. This meeting will be held on Wednesday, June 25, 2014, from 6:30 to 7:30 p.m. in the Assembly Chambers of City Hall.

The purpose of the June 25<sup>th</sup> meeting is to provide information, respond to questions, and to get a sense of concerns that the neighborhood might have, so issues may be addressed in advance of the formal public hearing with the CBJ Planning Commission. The project has been scheduled for review by the Planning Commission at the August 26<sup>th</sup> Regular Meeting. Prior to the meeting all landowners within 500 feet of the proposed rezone will receive a separate notice with details on how and where to submit comments or testify on the proposal.

If you have questions or would like more information, please contact Chrissy McNally, Community Development Planner, at 586-0761 or email: [christine\\_mcnally@ci.juneau.ak.us](mailto:christine_mcnally@ci.juneau.ak.us).

Enclosure: List of properties to be rezoned

cc: File number AME2013 0016