

MINUTES

**PLANNING COMMISSION**  
CITY OF BOROUGH OF JUNEAU  
Michael Satre, Chair

REGULAR MEETING  
October 9, 2012

**I. ROLL CALL**

Chairman, Michael Satre, called the regular meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 6:59 p.m.

Commissioners present: Michael Satre, Nathan Bishop, Karen Lawfer, Marsha Bennett, Jerry Medina, Dan Miller, Nicole Grewe (by phone).

Commissioners absent: Benjamin Haight and Dennis Watson.

A quorum was present.

Staff Present: Hal Hart, Director; Greg Chaney, Planning Manager; Teri Camery, CDD Senior Planner; Benjamin Lyman, CDD Planner

**II. APPROVAL OF MINUTES**

- September 25, 2012 – Regular Planning Commission meeting.

**MOTION:** *By Mr. Miller to approve the September 25th, 2012 PC minutes, with any corrections as provided by the Planning Commissioners or staff.*

There being no objection, it was so ordered.

**III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**IV. PLANNING COMMISSION LIAISON REPORT**

Carlton Smith reported that the Southeast Conference was a very productive meeting and regretted not being able to join for the last Planning Commission meeting. He also questioned how the commission planned to present the Comprehensive Plan to the Assembly and expressed his interest to work with the members in putting that together.

Chair Satre explained that the completely modified document as a whole will first go for public comment, then to the Joint Committee of the Whole, and then through the Assembly process.

## **V. OTHER BUSINESS**

Chair Satre suggested moving the presentation by the Fish and Wildlife Service on restoration projects to the front. The members were in agreement.

Ms. Camery introduced John Hudson saying, “He has a master's degree in Fisheries Science and has over 25 years of experience in fisheries research with agencies such as the Michigan Department of Natural Resources, the US Geological Survey Great Lakes Science Center in Ann Arbor, Michigan, and the US Forest Service Coldwater Fisheries Research Unit in Virginia. Since moving to Juneau in 1994, John has worked for the Alaska Department of Fish and Game, the National Marine Fisheries Service, Auke Bay Lab as a private consultant, and since 2009 with the Juneau Fish and Wildlife Service Field Office Habitat Restoration Program. In the past 10 years, John has focused his research on stream bio assessments and the influence of spawning salmon on stream ecosystems”.

Mr. Hudson thanked, Teri for extending the invitation to speak before the Planning Commission and thanked the Commission for their service to the community. He said he works for the Fish and Wildlife Service as one of two staff persons in the Habitat Restoration Program. He spoke of extending out federal money each year to municipalities, native groups, nonprofit service individuals and organizations to do work that would benefit Fish and Wildlife. One such project was done in collaboration with the Juneau Watershed Partnership over the last three years with Shannon Seifert, to gain a better understanding of what type of habitat restoration processes have occurred in Juneau, where on the landscape they have taken place, and most importantly, how they are functioning, and operating. The goals of this project was to first inventory and map where those projects were occurring on the landscape. These projects were typically ones that set out to improve Fish and Wildlife Habitat, like a Wetland Restoration Project, or ones that in some way affected Fish and Wildlife Habitat, like trying to arrest erosion that was occurring on a riverbank and didn't necessarily address habitat issues, but had the opportunity to do so in implementing that project. As part of the qualitative assessment, they actually visited the site and examined the goals and objectives as best as they could based on the research. They then evaluated that project in terms of 1) Was it even implemented? 2) If it was implemented, did it make those goals? There are also projects that have been implemented on the ground, but needed additional work.

He went on to a presentation that described where these projects occurred and the types of projects that they encountered in the CBJ. They occurred on many different streams, most notably towards the Duck Creek, Mendenhall, and Jordan area to the Mendenhall Valley, some of which have been listed by the State of Alaska as impaired in some way, either because of dissolved oxygen problems or other water quality problems.

Duck Creek has suffered quite a bit over the years, primarily to urban sprawl and received a lot of attention throughout the 90s and early 2000s dealing primarily with fish passage and wetland creation projects.

The Mendenhall River was the site of 15 of 81 projects that were identified on the ground, most of which were Stream Bank Stabilization Projects, where the banks were slowly crumbling away into the river and needed to be stabilized.

Jordan Creek is another stream that is an impaired water body in relatively good health. At one time, it was one of the most productive Coho salmon streams in all of Southeast Alaska. Of the 81 projects that were identified, numerous projects were in the fish passage, bank stabilization, habitat creation projects (recreating new habitat for fish and wildlife), and storm water management projects.

Some of the general findings: Fish passage projects were usually quite successful, for example, replacing a small culvert for one much larger embedded in the stream helped fish get through it a lot better. Stream bank stabilization projects were almost always very successful in preventing stream banks from eroding, though not always successful in providing for wildlife habitat. Created wetlands were very successful wherein a borrow pit or an old gravel pit is filled with ground water and lifted up by adding soil and planting native wetland vegetation. Storm water management projects also seemed to be implemented quite well. Projects that enjoyed mixed success included created wetlands that were created from upland; where the area was not that wet, digging a hole, and hoping that it turns into a wetland; channel rehabilitation/restoration/relocation projects; and re-vegetation (which stabilize the banks and provide habitat for small wildlife). He went on to elaborate the findings using diagrams, maps and slides.

He detailed the revetments used like the riverbed revetment, which involved planting many trees (e.g. behind Mendenhall Post Office) and the log crib-type revetment by using a series of stumps, large trees, and root wads to create a more natural type of stream bank stabilization (e.g. near the Thunder Mountain High School).

The riverbank revetment (behind the Mendenhall Post Office) is the large meander bend where the Mendenhall River takes a huge bend. He noted that in the mid-80s, this revetment was constructed from rip-rap. Several floods during the ensuing years had damaged it and it was rebuilt again in 1996 with the stipulation to the core permit that the trees adjacent to the revetment be maintained and left there and that several trees, actually fruit trees every 15 feet be planted along the face of this revetment. When they visited this site about 14 years later, during their assessment, several of those large trees have been removed to make way for new low-income housing development and there was no sign that any of the fruit trees have been planted at all and the entire revetment was mainly devoid of vegetation with very little habitat value, quite a bit of bank stabilization value with no sign of erosion and it was doing a very good job by protecting the infrastructure up there, but very little habitat value.

What they noticed downstream, the adjacent home or landowner at Vintage Park just a year later decided that they wanted to armor their stream bank as well and in this case, the agencies that weighed in on that permit decided to have them place soil in the voids of that rock and plant it, and set performance criteria for how many trees should survive a year later. This was very innovative and ahead of its time. He noted that 13 to 14 years later, there is quite a radical difference between those two stream banks; one only harboring some mosses and stuff and the other with quite a burdened riparian area with wonderful habitat for small mammals, birds and cover for fish during certain water levels and tide levels. He hoped to see more of that happen.

He defined channel rehabilitation as improving habitat qualities in the channel in its existing location versus relocating the channel somewhere else to do that. He gave an example of Duck Creek with ground water that is inherently very low in oxygen and with very high iron levels.

With created wetlands, he pointed to the Nancy Street wetland, which had poor habitat quality but Michele Elfers' approach was to create fingers of low-lying land on the alternating sides of the lake/pond, so that there would be a channel winding its way through, with the great emergent wetlands on either side creating a wonderful habitat for fish, waterfowl, and a variety of other aquatic and riparian-dependent species. He noted similar projects at the Church of the Nazarene Pond and at the Floyd Dryden School, where a borrow pit was created into a wetland by filling it up and planting native wetland vegetation. He went on to mention a failed wetland creation at Glacier Highway at the junction of the south entrance to Lena Loop and mitigation methods like excavating to the water table elevation.

Regarding re-vegetation, he pointed to the Duck Creek Channel Rehabilitation Project near Egan Drive and Glacier Highway, where 12 years later, the vegetation is still poor. He noted that these sites need follow-up to make sure that the vegetation is surviving, like adding more soil, or adding more trees. He also suggested coming up with performance based permit conditions and criteria like what kind of trees to plant, how many, and what to do if those trees were not surviving a year later.

As remediation methodologies, he stated that technical oversight happens because people sit at a computer and make recommendations but do not actually visit the sites year after year to make sure that things are working fine based on proposed recommendations; permits are written but compliance monitoring does not happen to ensure that those permits are enforced; and post implementation maintenance, getting to a site and making sure that the trees are actually surviving.

Ms. Lawfer referenced the 81 projects mentioned earlier and asked what defined the size of a project.

Mr. Hudson replied that in paging through the records from the Corps of Engineers and Fish and Game, they looked for projects that were trying to improve habitat in some way or impacting a habitat.

Ms. Lawfer referred to one of the slides and asked if the Vanderbilt Creek would be considered poor. Mr. Hudson replied that it would be considered impaired. She asked where the landfill would fit it on that. Mr. Hudson answered that the landfill spans over a couple of watersheds between Lemon Creek and Vanderbilt Creek.

Ms. Lawfer asked about the cost to which Mr. Hudson replied that not all cost figures are available but they do have a very large database that will be made public soon and may contain the costs associated with each project.

Ms. Bennett queried when that report would be made available. Mr. Hudson stated that the report is about 100 pages long and might take a few more months; it contains summaries of who did the project, why they did it, the goals and objectives, how they felt it performed, and the recommendations for how to make it better if it wasn't quite successful.

Chair Satre thanked Mr. Hudson for his presentation stating that it has been extremely helpful in understanding the situation.

**VI. RECONSIDERATION OF THE FOLLOWING ITEMS**

**VII. CONSENT AGENDA**

**VIII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

AME2012 0006

A Text Amendment of Title 49 and of the Comprehensive Plan for the 2012 Update

Applicant: City & Borough of Juneau

Location: Boroughwide

Staff Recommendation: Staff recommends that the Planning Commission review and discuss Chapter 10, Land Use, as well as review Chapter 11, Land Use Maps. Staff recommends that the Planning Commission become familiar with the land use designations and the overlay district concepts before beginning discussion of the map boundaries. Only after all commissioners understand the designation available for use should the commission's attention turn to the maps themselves and any needed amendments thereto.

After all chapters have been reviewed on a preliminary basis, a Draft Comprehensive Plan will be published for review, after which the Planning Commission will begin a second round of review of the entire document. Staff requests that the Planning Commission commit to a review schedule to the best of its ability.

Staff Report:

Mr. Lyman noted that the latest Transit-Oriented Corridor map was not updated in the packet distributed to the commissioners.

He stated that the Planning Commission had started to look at Chapter 10 on land use and land use maps in the past, but didn't make it very far because of the Draft Ordinance that eventually was adopted and is now effective. The land use code now states that a re-zoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the Land Use maps of the Comprehensive Plan. He cited the Atlin Street rezone issue where the Planning Commission felt that the rezone was not substantially in conformance with the Comprehensive Plan but the determination that came out of the CBJ Law Department was so strict in terms of how that provision had to be interpreted that the commission and the assembly lost all wiggle room in determining where the boundaries really ought to be on the ground.

Page 2 of the staff report had routine changes like changing CBJ to Juneau / Community / CBJ Government as appropriate to make it easier to read and understand. He mentioned that in the future, staff will be coming back and talking about how to make the maps clearer to read in terms of demarcations for zoning and land use designations. He also referred to Title 49 and changes that need to be made with regards to Mixed Use and General Commercial designations.

Transitional zoning is a very important tool in the land use code because it allows for growth and development of areas that would otherwise be designated as maximum density. He however felt that transitional designations in the comprehensive plan were not that useful as it acts more as a planning tool for the future as opposed to a regulatory document. He spoke with Mr. Ralph Kibby who had commented on this issue at a previous meeting. Mr. Kibby felt that they were adjusting the Comprehensive Plan to facilitate the land use code. Mr. Lyman explained that the plan is a guiding document to look into whenever there is a zone change application; and retention of the transitional map designations was important.

He noted that two new overlay district maps need to be included; an Affordable Housing Overlay District map and a Transit-Oriented Corridor map. They were described in great detail in the 2008 Comprehensive Plan update, but the reason it is being added again was because no maps accompanied those designations and they were told that new overlay zoning districts could not be adopted unless overlay district maps were included in the Comprehensive Plan that enabled the adoption of those zones. He again mentioned the importance of getting the best possible boundaries for the maps eventually.

Mr. Lyman stated that updating the Comprehensive Plan is of very high priority to the assembly and the manager's office. He has asked staff to see if the Planning Commission is willing to agree to a schedule to try and get through this as quickly as possible. He asked the members to take a look at the draft schedule.

Hal Hart stated that the Assembly needs to be updated about where the Planning Commission is currently at in the process, as well as what dates are set for the community meetings so that adequate notice can be given to achieve maximum public input.

Chair Satre stated that correcting every boundary line on the maps is going to be a cumbersome process and asked for the commissioners' comments on what they thought the edits should look like moving forward.

Mr. Miller commented that the new ordinance is still pretty tight in the way it was written but the maps still need work and he was willing to put in the extra hours to attain that.

Chair Satre asked what the goal of this Comprehensive Plan update was because the maps were done as recent as 2008. He wondered if it had to be redone all over again, or if it were sufficient to change some limited things to facilitate Transit Oriented Development, Affordable Housing Overlay, etc.

Mr. Miller stated that in his understanding, there needed to be substantial conformance but not an exact match and asked Mr. Lyman if that was correct.

Mr. Lyman remarked that he added the emphasis in the printed staff report; it is not in the ordinance. He explained that the language that was reviewed and recommended for approval by the Planning Commission, said that the uses allowed therein are in substantial conformance with the intent of the Land Use Maps of the Comprehensive Plan, but the Assembly decided that that was too much wiggle room and wanted to tighten it up more. The onus thus falls on the Planning Commission and on the Assembly to show what the intent is. He gave an example of previously not being able to put a Light Commercial Zone in a General Commercial Designation, but with substantial conformance now, the Planning Commission can approve such zone changes if justifiable.

Mr. Chaney followed up by saying that some of the Assembly members were very skeptical of this revision and were not particularly interested in approving zone changes that did not comply with the maps of the Comprehensive Plan. He didn't recommend opening up all the maps in all the areas and doing a full review, but picking a few spots to focus on, taking it out to the public, and deciding if it's appropriate to reassign land use designations in the Comprehensive Plan before going to the Assembly.

Ms. Lawfer asked if the term, "substantial conformance", could be defined at some point in time.

Mr. Bishop felt that defining it would give it back the same rigidity that they are trying to get away from. He thought that substantial allows them to have the necessary debate in the legislative interpretation of it.

Mr. Medina agreed with Mr. Bishop saying, "I think that we will define substantial by our findings and that will be our definition I am comfortable with".

Ms. Lawfer felt that clarification of that term would help in dealing with this Comprehensive Plan and Ms. Bennett thought a determination could be made using the several cases that Mr. Chaney had mentioned.

Mr. Miller felt that he could make substantial work and gave an example of North Douglas Highway (the transitional area that goes from lesser density to bigger density) where there were zone change applications, but it wasn't actually on the line where the commission said it was, so the intent was to make it a transitional zone, and he felt that they substantially met the intent.

Mr. Bishop was in favor of doing a brief review of the maps for errors principally, not for changes that have structural differences in the community. He was interested in transit oriented development and perhaps view sheds in areas that they have not had any guidance in the past.

Chair Satre stated that the three main items to discuss were simplifying the transitional map designations, transit oriented development, and affordable housing overlays. He asked for the commission's opinion on addressing those three items in conjunction with Chapters 10 and 11.

Mr. Bishop was fully supportive of that idea. Ms. Grewe agreed with Mr. Bishop's comment to keep the review brief and speak on errors rather than making substantive change. Mr. Medina concurred with the recommendation to focus on those three areas.

Mr. Lyman clarified that he wasn't suggesting going over all the maps in detail, but to get familiar with the other tools and what the labels mean; then, if there are glaring problems, they could look at those and decide if it needs to be taken out to the community for further vetting.

#### Public Testimony

*Ralph Kibby*, 1980 Hughes Way, stated that he agreed with the commission and appreciated the direction of the discussion. He asked that transitional zoning be left in the Comprehensive Plan. He stated that there are conflicts in Title 49 and the Comprehensive Plan with regards to zoning issues, table of permissible uses, zoning maps and other designations; thus an update needs to be done to Title 49 first, so that it conforms to the Comprehensive Plan and not the Comprehensive Plan conforming to Title 49.

Public testimony was closed.

Mr. Lyman mentioned that most of the changes are formatting and typographical. He pointed to a minor change on Page 161 - Regional Trade, Medical Services and Visitor Destination Uses, referring to not just roadways, but roadway congestion and seasonal cruise industry in terms of things that impact the regional trade, medical services, and visitor destinations.

10.8 Standard Operating Procedures on Page 161 – It states, "...Facilitate regional trade by allowing wholesale and retail trade centers hotels and motels near marine and aviation transportation hubs such as the airport and barge and ferry terminals". He stated that what they mean by 'near' the airport is within an industrial zone, where most of the uses that are listed above are not supported, though there is a lot of commercial land right adjacent to the airport which could be used. Waterfront industrial lands where the barge facilities are, also tend to be very restricted in terms of what is allowed to be placed there. The **rock dump** zone only extends 100 feet from the shore and beyond that it is industrial, so no hotels and motels can be put there.

He explained that there is an inconsistency and a conflict between the zoning code as it exists and the Comprehensive Plan.

10.8 Implementing Action 1 – Mr. Lyman noted a new suggestion from Commissioner Bennett, “...suggested as a standard operating procedure regarding Public Transit Service to and from the ferry terminal at Auke Bay...” He said that this has been mentioned on multiple occasions by many members of the Planning Commission and therefore is probably not going to be contentious.

10.9 Implementing Action 2 – “...The CBJ government should conduct analyses of potential measures that can strengthen the retail, personal service, food and beverage service, entertainment and cultural offerings and other commercial operations for the downtown Juneau area, and particularly within the Downtown Historic District, which would convey the unique style and character of the community, and its historic and cultural roots to cruise ship passengers.” He said that this might be better located in Chapter 5, if the commission so chooses, and the members agreed.

Mr. Medina asked about removing the term “Disneyland-esque” on Page 161, second paragraph, under Regional Trade, Medical Services. Mr. Lyman said that he missed that. Mr. Medina said that they could actually delete that whole paragraph except for the very last sentence where it starts “...Ensuring the authenticity of Juneau...” Chair Satre agreed that it was a good edit.

Ms. Bennett said that on Page 158 - 10.6 IA3 – “...Amend the Land Use Code to ensure that development proposals are evaluated with regard to site design including...developing play areas in new developments...” She questioned how these mandated play areas are inspected for compliance and if language could be added to assure that they will be inspected.

Mr. Lyman explained that the Community Development Department and Parks and Recreation Department have discussed that issue but there is no existing standard for that. As part of maintenance, it is up to the private developer to keep the facility in good repair. A courtesy inspection will be done if there is a question of public health and safety.

Ms. Bennett commented that if there are no standards now, the planning commission needs to probably add a sentence that says, “it is the aspiration of our body to develop standards,” that can then be monitored or considered as a minimum.

Mr. Lyman stated it would be an implementing action that says, “...the Community Development Department should work with the CBJ Parks and Recreation Department to establish within the land use code a set of criteria...”, which would then come back to the Planning Commission for review, recommend to the Assembly, adopted as an ordinance in the land use code, and become a standard.

Ms. Lawfer asked about the national standard set aside for play areas.

Mr. Chaney felt that language regarding standards needs to be added as well.

Page 164 - Waterfront Commercial and Industrial Development - Mr. Lyman said that the text was not written in a way that was appropriate for development guidelines and staff is recommending moving it to a more appropriate location. He said, "This has to do with the designation of Gastineau Channel as not just a navigable waterway but as a very important congressionally designated navigable waterway; and because of that designation, we cannot put a bridge or a causeway across Gastineau Channel that would reduce the size of the envelope that is below the existing Juneau-Douglas Bridge. There is a lot more water under the Juneau-Douglas Bridge than there is anywhere in the game refuge." He stated that this has been discussed by the West Douglas Development Working Group, the Safe Committee's Campaign for the North Douglas Crossing, and the Planning Commission. He felt that it did not make sense for the community to ask Congress for support in keeping this as a designated navigable waterway and the language basically implied that it would probably serve in the community's best interests if the Army Corps stops trying to dredge it, and the State stop diverting dredging funds from North Douglas Crossing to a dredging project. He noted that it is a relocation from Guideline I under Policy 10.12, the second paragraph has been deleted and moved up. He also added an implementing action about working with the State and Federal Governments to remove that navigable waterway designation from that portion of Gastineau Channel that cannot reasonably be navigated.

Page 163 - Resource-Based Industrial Development - Ms. Bennett remarked that there seemed to be more disadvantages listed to the mining industry and no credit given in terms of the employment and economic benefit it provides to the community.

Mr. Lyman explained that mining is not a sustainable resource activity as there is going to be depletion eventually, but the language is not biased against mining. It talks about how abandoned mines can be reused and that when extracting resources, care needs to be taken in order to avoid other off-site impacts; however, information about its economic benefits would be much better situated in the Economic Development Chapter.

Ms. Bennett noted that on page 167 and 168, the policy reads, "...reserve sufficient lands and facilities that support the state capital functions to downtown Juneau including provision of adequate transportation housing...", and under implementing action it says, "...amend the land use code to create new overlay zoning districts for transit oriented development for parks and stream corridors, for view corridors, and for noise notification overlay districts..." She questioned the connection between those two.

Mr. Lyman said that there seemed to be a mismatch between the heading of the policy and the standard operating procedure and will need to be reworked.

BREAK 20:47 – 20:54

Chair Satre asked Mr. Lyman to speak about Chapter 11 and its current status.

Page 169 - Mr. Lyman created the fourth paragraph to describe what the wiggle room is in considering rezoning. The existing language states, "...in considering rezoning requests, the Planning Commission and Assembly should aim to promote the highest and best use of the land under consideration. In some cases, the highest and best use may be increased density or more intensive use of the land. In other cases, the highest and best use may be preservation in an undisturbed state for purposes of habitat preservation, flood control, or providing a buffer between development and areas subject to natural hazards..." The new text reads, "...Additionally, the Planning Commission and Assembly must consider the existing development in and adjacent to the area of the proposed re-zone, as well as available infrastructure, neighborhood harmony, and the vision of a community composed of walkable, transit-oriented community centers that transition smoothly to single use areas such as residential neighborhoods or industrial areas. The Comprehensive Plan Maps are not drawn at a scale, or with sufficient detail, to be considered hard and fast boundaries between land use designations in most cases; instead, zoning designations should provide for a finer-grain application of zoning controls on individual properties than the Comprehensive Plan Maps are capable of providing..." He stated that he had not made any changes to this since the adopted ordinance. He also was thinking of adding something regarding transition between disparate land use designations, for example, when there is an industrial land use designation next to a residential land use designation, it may be appropriate to buffer those zones with a commercial area. He asked the commission to look at maybe modifying the language further to clarify this.

Mr. Bishop appreciated Mr. Lyman's attempt to define it but he would rather just say it has to substantially comply and delete the paragraph. The members agreed.

Page 171 - Descriptions of the Land Use Categories - Mr. Lyman stated that another paragraph was added about rezoning requests and it was up to the Commission to consider keeping it or not. He felt it was really important to discuss the new paragraphs that have been inserted after the description of every single land use description paragraph. In the event that the Ordinance 2012-13 was or was not adopted in a way that did not give the Planning Commission or Assembly any leeway, then would require the strict application of Zone 2 Land Use Categories. He continued on to mention that one of the ways they thought they could deal with this was to provide a menu in the Comprehensive Plan that stated these were the zones that were appropriate within a particular land use designation. He noted that it was up to the Planning Commission to decide if any zones were appropriate to be listed or if it would be better to leave it to the process.

Mr. Lyman motioned to a map (F) that was proposed for revision by staff because the size of the new growth area needs to be reduced. [On the back side of West Douglas; previously it had been much larger and included a small portion of land, recently purchased by SEAL Trust Mitigations Funds from the Airport Runway Safety Area Expansion and is now in conservation status and unlikely to be a new growth area.] Regarding Stream Protection Corridors, the same map is cluttered making it difficult to distinguish the stream corridor, the RV designated areas etc. He suggested pulling a layer off and putting it into its own overlay so that they could see where the lines are. He commented that in the 2008 update to the Comprehensive Plan, there was a request from the Director of Parks and Recreation for thirteen new Land Use designations or zones for parks, which was eventually whittled down to eight.

Recreation Resource - Watersheds and hazard areas have their own overlay.

Page 173 - He noted that Scenic Corridors and Viewsheds need to be looked into. He read, "This designation is suitable for CBJ-owned and other public lands whose views of, or whose near and/or distant views from the locale, are deemed as spectacular and/or represent a significant and important representation of the visual character of the CBJ." He referenced the North Douglas area which is designated as a scenic view corridor and then raised the question if that meant protecting the area around it from any development. He sought guidance from the Commission on clarifying that language moving forward.

Page 174 - Institutional and Public Use – Previously, the CBJ had a special zone for Institutional and Public Uses but the Assembly decided that local government uses should be subject to zoning restrictions just the same as private Land Uses. The zone no longer exists but the Land Use designation is still present in the Comprehensive Plan. It shows potential properties that is an institutional use but says nothing about the character of the neighborhood.

Resource Development - The rough equivalent to the Rural Reserve Zoning District and includes everything that is not shown on the maps; the ice fields, North Berners Bay, South Taku, places that are in the Borough, but not very closely looked at are in this designation.

#### Residential Districts

Page 175 - Urban Low Density Residential - Mr. Lyman read, "Commercial development should be of the scale consistent with a single family residential neighborhood", and thought it might be good to say that the Table of Permissible Uses contains the way it is regulated; i.e. office sizes, types of retail establishments which are appropriate in specific zoning districts, etc. The convenience store overlay zone is also appropriate for some of these (this zone has been adopted into the Land Use Code, but there is no enabling map in the Comprehensive Plan).

Medium Density Residential Mr. Lyman added in an Affordable Housing Transit Oriented Overlay Zone which would be appropriate for this area.

He did not like the new Urban District designation and wanted to change it. He agreed that Juneau has all the hallmarks of an urban environment but it is very confusing to have a mixed-use Land Use designation and a mixed-use zone.

Marine Mixed Use – No change.

Page 176 - Transit Corridor – One possible way of having a Transit Oriented Development Overlay District was along all existing transit routes that have half-hour headways, no longer than 30 minutes between buses, during the main part of the service day and any route with that might have a corridor around it where there would be some sort of parking reduction / height bonus / density bonus (the particulars can be figured out in the Land Use Code when it is adopted). Another possibility was to put it on all the roads where they plan or anticipate having

frequent headways; they could build the housing and then get the transit service coming in afterwards and supporting those uses.

Mr. Bishop made the point that essentially covering every road in Juneau with a transit-oriented corridor, so they looked at nodes and express stops. Mr. Lyman used the map to explain how transfer points would work in the current transit development plan.

A new piece of text was added to describe the map better that read, "Transit corridors are areas where overlay districts and development bonuses provide incentives for increased residential densities and mixed-use, walkable, transit oriented development. Benefits extended to properties within Transit Corridors may include lower parking requirements, taller building height restrictions, greater lot coverage limits and other regulatory relaxations determined to be appropriate for the areas. Transit Corridors extend 1/4 mile from transit routes identified as eligible for Transit Corridor overlay or bonus application, Transit Corridor overlay and bonus benefits are lower than for Transit Oriented Nodes or Transit Oriented Corridors".

Transit corridors are not shown on the map and are the lowest tier of development bonus and receive minor variances.

Currently, the Comprehensive Plan has the old Transit Oriented Development. He indicated on the maps where the Transit Oriented Corridors would be. "...It is an overlay Land Use designation that transcends other Land Use designation boundaries. Although any zoning district could be overlaid by the TOC Land Use designation. The TOC designation indicates that uses should be mixed and residential densities high (18 to 60 or more dwelling units per acre) in any underlying land use designation or zoning district... Benefits extended to properties within Transit Oriented Corridors may include lower parking requirements, taller building height restrictions, greater lot coverage limits and other regulatory relaxations determined to be appropriate for the areas. Transit Oriented Corridor bonuses in overlay areas may require design features identified in Chapter 3 of this plan (like walkable pedestrian oriented development) to be incorporated in projects for bonuses or other regulatory benefits. Transit Oriented Corridor overlay and bonus benefits are lower than for Transit Oriented Nodes and higher than for transit corridors, this is the second tier.

Chair Satre reiterated that the general idea is there is a combination of nodes and corridors.

Mr. Lyman continued that the Transit Oriented Node is of the highest benefit giving the most reduction in parking requirement and the most increase in residential requirement.

Commercial Business - Currently designated as General Commercial. It can be confusing because of multiple uses of the same name.

Heavy Commercial/Light Industrial - Envisioned during the 2008 update of the Comprehensive Plan, this term does not appear in the land use code or any books but basically meant somewhere that you can put rock crushers and nasty, smelly, stinky, loud things that no one wants in their neighborhood. As a growing city, land needs to be designated for such.

Waterfront Commercial Zoning District and Land Use designation - Staff recommends changing that to Marine Commercial. There is also Marine Mixed-Use listed in the Comprehensive Plan. To keep the terminology distinct, zoning refers to waterfront and land use designations refer to marine.

Mr. Lyman goes on to mention that they had their cartographer go through and change the labels on the maps so that they can correlate between the two documents that were shown and noted that there were no changes in those maps other than the New Growth Area in map F.

Ms. Lawfer asked if the maps that they were looking at reflected the changes Mr. Lyman was proposing. Mr. Lyman apologized that the maps attached were not the correct ones and that he would email them out the next day as well as put them on the website.

Chair Satre reminded the members that the Committee of the Whole meeting will be on October 16, 2012. Mr. Lyman suggested that the agenda for that meeting contain direction for staff on several things like the Transit-Oriented map, transit bonuses, pedestrian inconvenience, how larger roadways affect the way people flow, and the proposed locations for the nodes.

Chair Satre said that the discussions will be generic and will primarily provide guidelines for the Title 49 changes.

Mr. Bishop questioned whether or not this was the appropriate place for this, if it would be sufficient to just reference the existence of Transit-Oriented maps in Title 49. The more appropriate place for the maps would be in Title 49 and they have the enabling legislation within the Comprehensive Plan.

Mr. Lyman replied that is correct because the text already talks about transit-oriented development, but they have not been able to move forward with adopting the overlay zones, because they didn't have an enabling map that showed where the zones could be applied.

Mr. Bishop stated that he liked the proposal that Mr. Lyman had put forward.

Mr. Lyman explained that for adoption, they could reduce the complexity of the maps.

Chair Satre proposed the work plan for Committee of the Whole meeting to start out with the overlay district maps because they have direction from legal that they needed to have the enabling map to get Title 49 changes done, finalize discussions on the transit-oriented corridors and nodes, the affordable housing overlay, changing labels on the transitional map designations and making necessary changes in the text.

Mr. Lyman noted that Affordable Housing Overlay District is basically the entire developed part of Juneau which in fact is the same map as the Urban Service Area Boundary Map. He said that since they had not discussed it with the commission, they went under the assumption that no

bonus provisions will be given outside the urban service area boundary. Chair Satre interjected adding waterfront industrial and preserving some of those other uses.

Mr. Lyman pointed out that the Affordable Housing Overlay District is within the Urban Service Area boundary. Mr. Bishop questioned the need for a separate Affordable Housing Overlay map and suggested doing it through bonus provisions for affordable housing. Mr. Lyman replied that was entirely within the realm of possibility and maybe calling it Bonus Eligible Area. Mr. Bishop indicated that he didn't want to pin it down as just affordable housing, instead, wanted to have one map that covered anything that the commission wanted to do in bonuses.

Mr. Lyman said that in that case, they probably didn't want both the transit-oriented corridor maps and the bonus eligible map because they are both different types of bonuses; multiple maps may make it very confusing to read.

Chair Satre stated they could finalize that discussion at the next meeting. He stated that if there were to be maps for all the bonus provisions, to make them as generic as possible. Chair Satre summarized that they would first start with the Transit Oriented and Affordable Housing Overlay District and work their way up the list from there. He asked everyone to be prepared for that discussion. He thanked Mr. Lyman, Mr. Chaney, and Mr. Hart.

**IX. UNFINISHED BUSINESS**

**X. REGULAR AGENDA**

**XI. BOARD OF ADJUSTMENT**

**XII. DIRECTOR'S REPORT**

Mr. Hart stated that he would like to see that the Assembly be given an update on what the Planning Commission has been addressing.

He told the commission about the Open House on Affordable Housing that was held on Friday, October 5th. He said he was able to see what they were currently building for affordable housing and that he believed that this program was related to their Bungalow Provisions. He was now able to see them operational and walked through a couple of houses in Lemon Creek.

He also stated that staff went to the Affordable Housing Meeting and one of the things that came up was that the group was very interested in an annual joint meeting with the Planning Commission.

**XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES**

**XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS**

Chair Satre expressed appreciation for Mr. Hart's time and effort in talking about Planning Commission issues and staff activities moving forward. He mentioned that a lot of those concerns are being passed up by Mr. Smith on a regular basis and pointed out that on Monday, October 15th, there will be a new assembly and a new Mayor. Chair Satre stated that while the new administration would be starting to work forward on their set of retreats and priorities, he had been working to make sure that the Commission was a part of that process and stressed on the importance of making sure that the Planning Commission stays involved and being part of the conversations.

Ms. Bennett stated that she received a notice of the planning conference in Anchorage from November 11th through 13th. She felt it was an interesting agenda and it would be good for people who are on that list to get updates on it because the Willoughby District Plan will be discussed and a lot of other interesting things about planning all over the state.

Chair Satre asked if that was the Alaska Planners' Association, Chapter 88. Ms. Bennett replied that it was.

## **XV. ADJOURNMENT**

**MOTION:** *By Mr. Bishop to adjourn the meeting.*

*With no objection, the meeting adjourned at 9:54 pm.*