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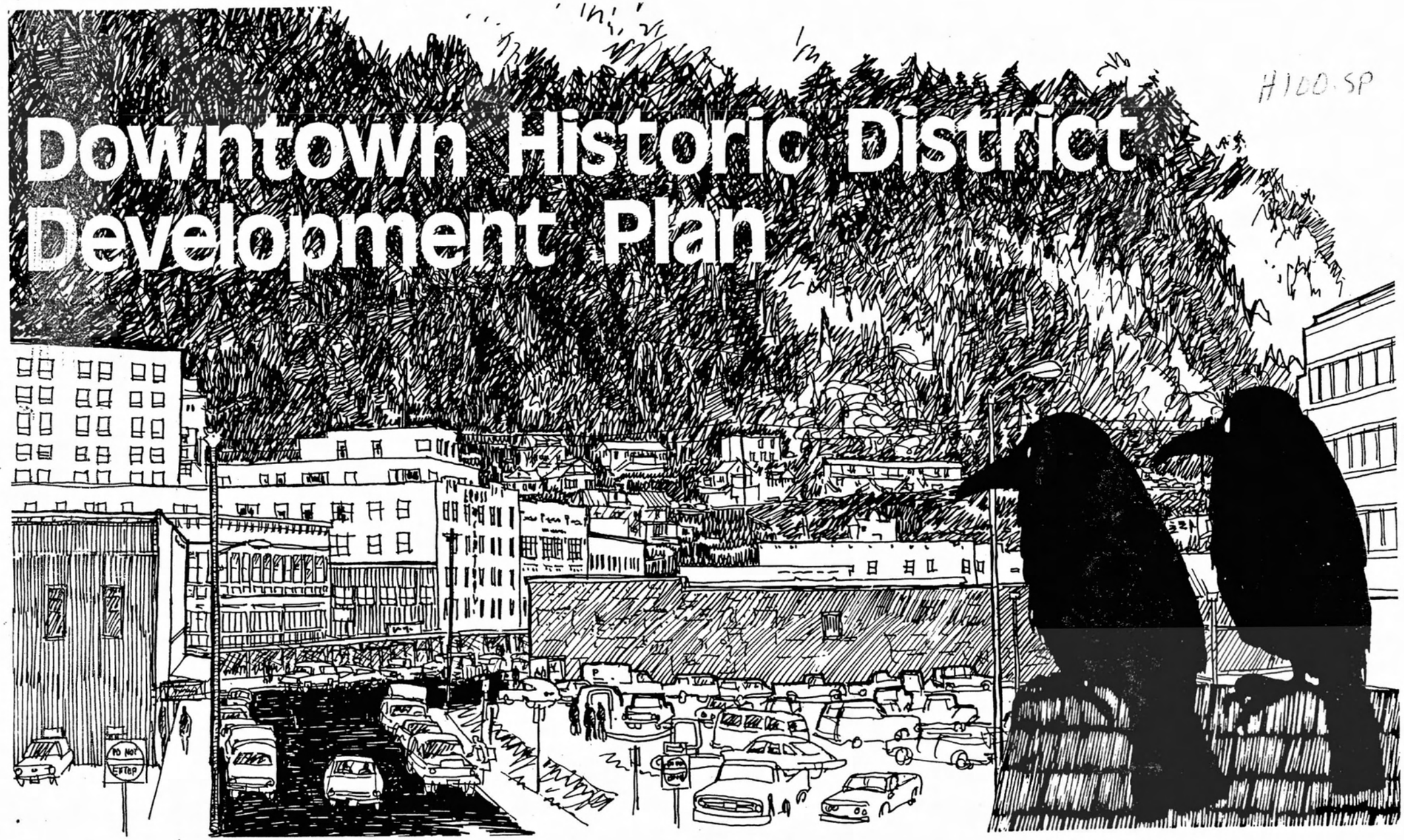
Downtown Historic District Development Plan



Juneau, Alaska

MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU
CAPITAL OF ALASKA
155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

TO: Reviewers of the Downtown Historic District Development Plan

DATE: January 27, 1982

FILE NO.

SUBJECT: Downtown Historic District Development Plan

FROM: Planning Department

This is the review draft of the Downtown Historic District Development Plan. You are encouraged to review this work as many of the recommendations may directly affect you. A public meeting to discuss the Plan with the Consultants has been scheduled for Tuesday, March 2, 1982 at 7:30 p.m. in the Assembly Chambers of the Municipal Building, 155 So. Seward Street. In addition, written comments may be mailed to the Planning Department, 155 So. Seward Street, Juneau Alaska 99801. The appendix to the Plan is not included but is available at your request.

Downtown Historic District Development Plan

Prepared for
The City and Borough of Juneau, Alaska

December, 1981

DRAFT FOR REVIEW

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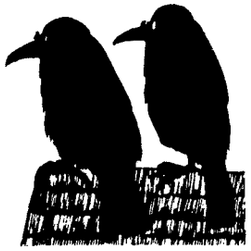

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The findings which follow are the principal conclusions among many in this study. It will be seen that, while most of these relate strictly to historic preservation, a number of conclusions touch on broader planning considerations. To the extent that this is justified by the desire to assist downtown prosperity - which in turn assists preservation - it is felt that such conclusions are appropriate.

1. A JUNEAU LANDMARKS PROGRAM IS JUSTIFIED. The remaining evidence of Juneau's history is sufficiently striking that a systematic search and documentation of historic sites is timely and appropriate. What is known already of Juneau historic resources indicates that valuable history can be preserved in the context of growth and new construction, with incalculable benefit to owners and to the larger Juneau community. To be successful, such a program must include formal recognition of significant sites by the Juneau government and a vigorous program to encourage preservation of these sites, which the Juneau government and public support together can effectively do.

2. A DOWNTOWN HISTORIC DISTRICT SHOULD BE ESTABLISHED. The present concentration of significant historic buildings in downtown Juneau more than justifies the establishment of an historic district there as a first priority of Juneau's landmarks program. In its current state of use and preservation, the downtown qualifies for protection under State and federal guidelines and can receive the kind of attention it must have to preserve the fabric of the many buildings which are significant to Juneau's past. In the consultants' opinion, this includes eligibility to become certified as a National Historic Site, and eligibility for tax and grant benefits, present and future, which are made available by State and federal governments.

3. INITIAL BOUNDARIES OF THE DOWNTOWN DISTRICT SHOULD BE MODEST. A beginning landmarks program should restrict itself to what it can accomplish practically. The district proposed in this study includes over thirty properties and directly affects perhaps a dozen more abutting properties. This is thought to be a practical number for which to provide administration and incentives in a beginning program. Once procedures and supportive programs are in place for these properties, it is possible - and is recommended - that Juneau review its landmarks program with an eye to possible extension of the district boundaries, the addition of other landmark districts and the designation of further individual sites as part of its program.

4. PROMOTING THE ECONOMIC HEALTH OF DOWNTOWN IS OF PARAMOUNT IMPORTANCE TO HISTORIC PRESERVATION. It is hoped and expected that an historic district will significantly boost downtown business. Conversely, good business downtown is critical to the success of preservation, since the wherewithal to preserve buildings lies overwhelming in the ability of private owners to reinvest in their properties. Juneau should therefore focus attention on the need to preserve the local orientation of downtown services by encouraging a diversity of goods and services, promoting residential density in the vicinity, improving vehicular access to the district and controlling sprawl into outlying areas of the region. It is felt that sound historic preservation should not result in removing a district from the mainstream of day to day competition for a local market, and any tendency of historic preservation to do so must be resisted.

5. DOWNTOWN JUNEAU SHOULD CONSCIOUSLY PRESERVE ITS TOWNSCAPE. The height of buildings, their historic scale and architectural details are only a portion of the effect a district has on visitors. Visible commercial activity is another essential portion, as is also the less tangible effect of its open spaces, streets and signs. The configuration of these open spaces is as historic as Juneau's buildings and needs to be viewed as part of Juneau's special character; as important to be preserved as downtown's buildings are.

6. JUNEAU SHOULD SURVEY, DOCUMENT AND CERTIFY ITS LANDMARK PROPERTIES AS SOON AS PRACTICAL. Important benefits to Juneau and to landmark owners begin to flow once landmark sites are registered with State and national authorities. Therefore, it is important to the success of Juneau's program that its landmarks legislation be certified by the State of Alaska and federal Department of Interior as a recognized preservation program. Likewise, and concurrently, individual sites in the historic district must be documented and their significance classified for inclusion in the State and National Register, in order that these property owners become eligible as soon as possible for State and federal benefits.

7. JUNEAU SHOULD ADOPT LEGISLATION TO ENCOURAGE BROAD LANDMARKS PRESERVATION. In particular, Juneau should adopt a Juneau Landmarks Ordinance, designed to establish a clear and responsible procedure for identifying, controlling and awarding incentives to landmarks. Such legislation will make clear the rules and process by which landmarks are created and govern the administration of Juneau's program, whether it be the downtown district or future isolated landmark sites. It will mandate construction guidelines to be drawn, which in turn will assist in permitting Juneau's preservation program to be certified at the State and federal levels.

8. ADDITIONAL SUPPORTING LEGISLATION IS NECESSARY AND APPROPRIATE. Changes in present Juneau zoning and construction ordinances will permit special zoning incentives to be provided to landmark owners and prevent possible discrimination against landmark properties because of their inability to meet later standards of zoning and construction requirements. Moreover, zoning changes which influence development in the area surrounding a downtown historic district will guarantee that this area will be developed compatibly with the district itself and with consideration for Juneau's special townscape qualities.

9. CONSTRUCTION GUIDELINES FOR LANDMARK PROPERTIES SHOULD BE DEVELOPED, AND BE CLEAR AND SIMPLE. Guidelines for owners proposing to alter their historic properties should be as clear a predictable as possible, in the interest of reducing administrative confusion and delays. These guidelines can be adopted by administrative rule, subject to Juneau Assembly review and approval. Once adopted, such guidelines should encourage simple, vernacular treatment of historic properties, in keeping with the styles traditional to Juneau, and not encourage inappropriate alterations that result in clutter or quasi-historical 'cuteness'. This is said not only on behalf of historical veracity, but also in the interest of economy. Fair but demanding procedures must be included for dealing with proposed demolitions of landmark properties.

10. NEW BUILDINGS SHOULD CONFORM TO THE EXISTING CHARACTER OF HISTORIC DISTRICTS. The guidelines, when adopted, should anticipate eventual replacement of some buildings within the district as well as construction on currently vacant sites. New buildings must be expected to conform to what is defined as the essential character of the district, including both existing building styles and the special character of the townscape. With this purpose, heights along streets, building setbacks, materials, facade openings and signing are appropriate elements to be controlled.

11. PUBLIC IMPROVEMENTS IN LANDMARK DISTRICTS ARE APPROPRIATE AND WILL GENERATE USEFUL RETURNS. The consultants have listed and described a number of improvements to open spaces and to street rights of way that will noticeably enhance the appearance of the district or will contribute to extended economic life for structures in the downtown district. Included in the list are soil stabilization, sidewalk replacement, parks and plazas, utility undergrounding and pedestrian improvements. In the consultants' experience, such improvements have the immediate effect of heightening a district's visibility as well as representing an earnest of the public's support for the district's success, the reward for which has been that private investment in the district is markedly encouraged. Most of these improvements are therefore recommended.

12. INCENTIVES FOR PRIVATE PARTICIPATION ARE NECESSARY AND ARE TO BE ENCOURAGED. The consultants have described a number of possible incentives to landmark owners, with the conviction that these would encourage private participation in preservation. It is recommended that a great variety of

incentives be considered for early adoption and that others be investigated for possible future adoption. These range from tax relief, zoning incentives and loan programs, through easement and development rights transfers, to individual public works and improvements. Some, at least, of the incentives listed here should be adopted as a critical function of any historical development program.

13. A DOWNTOWN HOUSING PROGRAM SHOULD BE CONSIDERED TO SUPPORT BOTH PRESERVATION AND BUSINESS. Housing in Juneau being in short supply, housing is becoming an urgent question. As it effects downtown, the existing housing stock is being depleted from age or commercial conversion. A healthy residential district would assist the downtown commercial district immeasurably, to remain healthy and diverse. This effect in turn will assist downtown to remain competitive within the region, which can only result in further success for preservation. Ideally, a program for housing rehabilitation and for new housing can be combined with preservation to become an incentive for reinvestment in landmark properties.

14. IMPROVEMENTS TO TRAFFIC CIRCULATION AND IMPROVED PARKING FACILITIES WILL ENCOURAGE BETTER BUSINESS AND PRESERVATION TOGETHER. Traffic movement and congestion add in some indefinable degree to downtown's image of bustle and commerce. Yet as downtown grows and serves more people, this threatens to become a hindrance to downtown since ready access from the region is important to downtown's competitive stance. It is recommended that two areas - one north, one south of the downtown center - be explored in an attempt to develop multi-level parking for the downtown. This will improve accessibility, enhance pedestrian circulation and reduce traffic motions now due to drivers seeking parking spaces. A pedestrian mall of moderate proportions may then become possible, which it is suggested be tested now on a trial basis.

15. PRIVATE INITIATIVE IS THE ESSENTIAL INGREDIENT FOR HISTORIC PRESERVATION. The consultants recommend that downtown Juneau embark upon a broad program of active promotion and reinvestment within the downtown area and especially in the historic district. Proceeding along lines that have proved successful for the 'Main Street' program of the National Trust, private downtown businessmen, together with interested citizens and government, should establish a program to improve existing business, seek out new business, search and lobby sources of improvement money, and generally call attention to the advantages of downtown that no other area can match. Accordingly, it is recommended that the private sector initiate such a program, determine its tools and its objectives and establish a permanent staff to pursue the program. Its importance to Juneau as a whole makes it reasonable that the Juneau government provide partial funding for this operation, at least during its formative stages.

Introduction

Introduction

The very essence of Juneau is its history. The combination of modern buildings with buildings dating back to the first settlement impresses every new arrival to Juneau with the physical evidence of that history. The succession of boom and bust, the evolution from prospector shacks to mining town, to State Capital -- all these can be read on the face of the City and all of these together form the lasting urban character of Juneau. Add to these the historical accident that downtown Juneau has never had a devastating fire as other major cities have, and it is clear that the 1980s pose exceptional problems for Juneau, together with exceptional opportunities to those who are charged with planning Juneau's future.

Today's generation inhabits the homes and businesses of its parents and grandparents. This generation must now decide what is valuable and must be kept, what must be repaired, what must be replaced. Whichever the choice, it would make a sad future for Juneau to discard the unique city that years of growth have made comfortable and familiar.

With this conviction, the City and Borough Government of Juneau has undertaken to explore the possibilities of historic conservation for downtown Juneau. The report which follows will discuss those possibilities. It will attempt a definition of what Juneau's urban design character is; Juneau clearly has a very special urban design character, and a lot of that character is very good indeed. Once Juneau's historic merits are established, however, the question becomes: how to preserve the best of Juneau. How does one provide for growth and change in Juneau without destroying Juneau's personality? What can Juneau do to emphasize its heritage without becoming ponderously cute? And inevitably these questions: who writes the rules for preservation and who pays the costs? It is the purpose of this study to expand on and to answer those questions.

Analysis of the Study Area

The subject of this study, as its title suggests, is the downtown area of greater Juneau and its prospects for historic preservation. The study area established for this analysis extends from Mill Way northward to Sixth Avenue, roughly between Willoughby and Gastineau or Gold Street. Properties farther out toward Nelson Street and the Evergreen Bowl were also studied in the field for their significance.

The study area arguably composes less than all the historic resources of Juneau. It was clear from only a cursory viewing that Juneau has many historic development opportunities outside the study area, some as close to downtown as Star Hill, others as far away as Douglas. Within the study area alone, there exists a wide variety of historic sites, some of them houses, some religious institutions and yet other commercial and fraternal buildings. In itself, the wide dispersal of tempting landmarks and the variety among their uses, forces a decision on how much to attempt at once in preserving history.

Upon completion of the field study, and with an eye to achieving the most effective preservation, the consultants were persuaded that the downtown district should for now be confined to the area which is recommended later in this study. Yet, both to be effective and to provide for the future protection of other very deserving properties, it is recommended that all preservation legislation anticipate future additions to Juneau's landmark list. For example, the area of Star Hill between Fourth and Seventh Streets displays exceptional justifications for a future residential landmark district. Although less homogeneous and more humble in scale, the residential district to the north and east of downtown contains individual buildings and groupings of buildings that have great merit and are equally historic. Several of these are already listed on the Alaska Heritage Resource Survey and a few are on the National Register of Historic Places. Because of their disparities in age, placement, size and architectural scale, however, these buildings are more appropriately protected individually than by a district.

Because these areas mentioned have important buildings, they require continued attention from Juneau's historic preservation program. Moreover, these residential neighborhoods contain a number of urban design elements that are important resources for the City of Juneau. Among these urban design resources one must mention their panoramic views and vistas down streets or stairways; groups of trees such as Mountain Ash street plantings; and small, harmonious groups of buildings, especially houses. It is beyond the scope of this project to analyze or inventory these resources as other cities have done, however their importance must not be forgotten in considering future development in Juneau.

In the final analysis, however, it seems more important that Juneau undertake a manageable program of historic preservation and do it well. The rationale for setting the district boundaries will appear below, although it is useful to anticipate some of those reasons here. The downtown area includes a high proportion of buildings dating back to the early days of the Juneau settlement. Because these buildings are compact and their effect is homogeneous, they are already considered to be an historic district. Because of their considerable age and structural deterioration, these buildings can also be said to be the most deserving in the study area of preservation investment. And because they are both concentrated in land area in need of rehabilitation, their rehabilitation will have a concentrated visual impact which can only help historic preservation and building together. By not taking on more area than it can administer or financially assist, Juneau is in a position to accomplish a striking success in historic preservation, whose skills, once learned and tested, can be extended to other landmark properties throughout the City and Borough.

Juneau waterfront C.1890

The Approach

In planning, as in any kind of problem solving, the plan relies on a series of assumptions. In the case of historic preservation, the assumptions are if anything more complete, since the evidence, after all, is before our eyes.

The Juneau Historic Development Plan attempts to balance a number of assumptions which are often diverse. All of them, however, show concern for the future well-being of Juneau's downtown. Since they are the foundation for the recommendations which follow, the assumptions which are discussed here both define the problem and foretell the solutions the Plan proposes.

Successful preservation relies on economic confidence. Unless there is a great deal of money at large - on the scale of the Rockefeller's at Williamsburg one might say - the success of an historic district relies on the investment of local governments and small property owners. And this investment is required not only in the early years but over the entire life of the district. Reasonably enough, the same can be said of any other area in a city, except that in historic districts investment is more heavily weighted toward structural maintenance and stylistic treatment. Return on investment is therefore more difficult to calculate than it might be in new construction. For this reason, governments have made a special effort to provide measurable inducements to historic district property owners, both to preserve the buildings themselves and to financially support the willingness of owners to participate in preservation. Owners in historic districts inevitably accept some degree of control over their property in the form of restrictions on demolition, on the kind of new construction they are allowed, on their freedom to allow their properties to deteriorate, and on their choice of what is appropriate renovation. In exchange, a government is obligated to provide some incentives to comply with these restrictions and the most successful governments do, by providing tax relief, low cost loans, public works and a variety of similar programs that indirectly support continued investment in historic buildings. In Seattle's Pioneer Square, for example, private investment outspent city government ten to one in Pioneer Square's early years, largely as a reflection of confidence in government support. Federal matching grants for rehabilitation, tax deferrals for building improvements, and in recent years the benefits from the 1976 Federal Tax Act, each created further inducements to invest in the District. The added inducement of establishing commercial prosperity where none had existed for years has never been measured, but the increase in property values for rehabilitated properties indicates that the city's incentive program has been rewarded many times over. A climate of confidence is therefore vital to the success of an historic district, which preservation ordinances and public programs must recognize by balancing, so far as is possible, the district's regulatory controls and its financial incentives to owners.

Downtown Juneau should continue to be the Borough's urban center. To most Juneau inhabitants, this assumption goes without saying, and yet there is no reason to assume that Juneau is invulnerable to the tendency to urban sprawl that started other American cities into decline. All the ingredients for sprawl exist in Juneau just as they do elsewhere: lower land costs, larger parcels, new roads outside the urban center; higher land costs, fewer and smaller lots, scattered ownerships and more crowding in the center itself. So there is an intentional assertiveness to this assumption, anticipating that there are two possible ways to preserve downtown Juneau as the Borough's urban center. The first of course is to create the kind of zoning throughout the Borough that denies developers the chance to build commercial space anywhere but in downtown Juneau. The second is far more practical, however, which is to make downtown Juneau more competitive than rival centers. The latter course becomes the essential premise in this Historic Development Plan. In the end, each element of the Plan must be judged on whether it leaves downtown Juneau more economically competitive within the Borough, and within Southeast Alaska, than it was before.

Downtown Juneau is the critical center of Juneau's historic identity. A case certainly can and should be made for an historic district considerably larger than what is proposed in this Plan. Beyond the downtown business district itself, large areas of residential Juneau are undoubtedly eligible to be classed historic. Other portions of this study will refer to the advisability of surveying areas outside the downtown for historic sites, possibly establishing a residential historic district and carefully documenting individual sites, both commercial and residential. But this Juneau Historic Development Plan proceeds from a different assumption, which is that a downtown program to promote preservation makes a significant beginning in encouraging preservation throughout Juneau. What the downtown achieves in preservation will certainly serve as an example of what promise preservation holds for greater Juneau, but that example must be a good one. Downtown has these great advantages; that it is densely composed of original buildings, which greatly assists its inclusion in the National Register of Historic Places as an historic district; that downtown is compact and intensively used, so that the visual impact of preservation will be immediately perceived and widely shared; and that

downtown is a commercial district, which makes it possible for public and private reinvestment to pass its benefits back into Juneau's economy much more quickly than a residential district can.

Each of these advantages improves preservation's chances for success, but it remains to point out that choosing a small district to begin with has some further advantages for the government of Juneau. For one thing, the complexities of administering an historic district are something each government must get used to. Once the first flush of enthusiasm is past, an historic district is largely a matter of reviewing building permits, designing public works and allocating funding. Who, for example, may demolish an historic building - for what reasons - with what possible penalites? Who decides that one building rehabilitation is good and another bad? What standards apply, who applies them, who suggests alternatives and where does an aggrieved party appeal his or her case? Who pays for public improvements, the City and Borough, or adjacent property owners? Where does a property owner go for financial assistance when he or she can't afford to replace foundation pilings under an historic property? These and countless other questions have been gotten used to in every successful historic district in the country, but for a while they are new questions to a government, and constitute a sound argument not to go too far too fast in creating administrative districts.

Yet another advantage to Juneau of the smaller district is the ability to spend limited resources so as to have the greatest combined effect. The resources are public in the case of National Register grants in aid and in any present or future programs that the City and State might create. Like so many other programs, funding for preservation (even with tax-shelter syndicates) is beginning to view its limits. What would be adequate for downtown Juneau will be far from adequate for Juneau as a whole, so this Plan foresees that preservation programs will progress in stages from downtown outward as need and capability determine each stage.

Private enthusiasm and initiative are essential ingredients of the district's success. Historic preservation and historic districts are known to spur the resurgence of commercial districts, and there is every prospect that they will do the same for downtown Juneau. But the act of placing plaques on buildings and imposing rigorous controls on buildings from the top down, is not good preservation by itself. If preserving a district's buildings - not to mention the businesses in those buildings - is exclusively an enthusiasm of government, preservation will not succeed. For one thing, government alone will not be able to pay for preservation. For another, no government should have to; a successful preservation program is a good climate for business, and past a certain point that business should be capable of supporting preservation on its own. The recommendations which follow are calculated to enable business to reach that point as soon as possible. For that reason, the recommendations for incentives have expanded into areas that lie beyond preservation: parking development, for example, and housing programs. And yet, despite this principle, preservation will expose some occasional hardships and some need to give an early boost to buildings and business. The incentives to be discussed include some which promise this kind of early assistance along with others whose effects will become noticeable over a longer time. All of these will work effectively only if the private sector clearly conceives that preservation poses exceptional opportunities to create an image and a common purpose. By 'private sector', the consultants intend not only the businesses and owners who might directly profit from a downtown renaissance, but the wider public in Juneau that will find new reason to shop downtown and the investors who will find that preservation is a sound investment. This state of mind will take some cultivating, and it will be seen that the consultants are relying heavily on a concerted effort by downtown interests to project an image of confident enthusiasm together with a determination to see that public incentive programs do in fact get implemented. This requires some sophisticated goal-setting and an effective organization to reach those goals, all of which is recommended here.

Downtown Juneau has a unique character over and above its historic associations. The briefest acquaintance with Juneau is enough to confirm that Juneau's streets and buildings - and their relationship to Juneau's natural setting - have a special quality that has little to do with whether the buildings are historic or not. In planning parlance this quality is referred to as 'townscape', and in Juneau's case the townscape itself may have historic reasons for being what it is, even when the buildings are modern. But the important perception here is that the visual and psychological effect of downtown Juneau is greater than the sum of its individual buildings. As this study progresses, the subject of townscape will be seen to be almost equally as important to preserve as individual buildings are, and the study has not hesitated to discuss the present zoning provisions for downtown Juneau, suggesting any modifications that would preserve the best in Juneau's townscape today. There are some sound reasons for taking this approach. For one thing, a review of present zoning follows very naturally on the kind of evaluation that was first made in determining historic Juneau's character and boundaries. In that evaluation it is important to define not just the historic merit of individual buildings but what kinds of urban space the buildings enclose, how their height relates to street width, what kinds of views are important looking out from these spaces, how existing street walls contribute in drawing pedestrians from one part of downtown to another, and what practical value these spaces have, such as protection from wind and rain. Zoning can protect - or can often destroy - the historical townscape of a place. To the extent that zoning conflicts, zoning can be modified to preserve that townscape.

In the event that buildings are replaced in the historic district, it is important to anticipate the need for zoning that both honors the character of the district and guarantees the property owner a fair return. In practice, conventional modern zoning encourages tall buildings and street setbacks while historic district zoning often imposes rigid height limits and stylistic imitations. Neither approach has permitted historic districts to grow without bitter disputes. In Juneau's case it will be important to find a compromise that avoids disputes and quiets the temptation to believe that historic preservation is the enemy of growth and reinvestment in the urban core. This is not only possible, it has worked well in various historic areas throughout the world, and these provide good examples for constructive modifications to Juneau's zoning controls.

Beer cart - Front St. 1886

Lastly, there is the planning consideration that many historic districts have abrupt boundaries, setting the district exclusively apart from its neighbors. This abruptness occasionally threatens to become a psychological barrier that discourages the location of some businesses and the passage of people from the old town to the new town and back again. It was stated earlier that economic life is important to an historic district. In Juneau's case, neither of these devices seems either wise or necessary. The integrity of Juneau's townscape is already shared between the downtown as a whole and the proposed district. It includes a relatively small number of characteristics, for example the use of sidewalk canopies, the widespread use of stock window openings, the prevalence of two and three story structures and the location of those structures almost without exception on the sidewalk building line. These characteristics can be reflected in new construction - can even be recalled in multi-story buildings - without imperilling new investment. Appropriate zoning is a legitimate way to guarantee this.

Preserving downtown Juneau depends on preserving the existing mixture of uses. Quite obviously, downtown Juneau is destined to grow and change, so that this ideal is going to have its exceptions. All the same, the strength of downtown Juneau lies in the diversity of its businesses and residences. Not only are they mutually supportive; the variety of goods and services here are evidence of Juneau's personality and population. It would therefore be unnatural - and probably unwise - to expect to alter this diversity very much, since by thinning its mixture of uses the downtown will cease to be the popularly recognized center of Juneau's activities. What's more, it will cease to be the one place in the region where 'one can find anything' within a few blocks. Thus, competitive advantage and concern for the essential Juneau are sound reasons to treasure the downtown's present diversity. Preserving that diversity can become a tall order, however, and later sections of this study will return to the problem of protecting the rent structure of downtown and providing rehabilitation assistance to owners whose buildings might otherwise be replaced by more expensive buildings and therefore more exclusive uses. Protecting diversity bears yet another implication, having to do with the growing importance of tourism to Juneau's economy. Clearly, Juneau is not Colonial Williamsburg. Equally clearly, too abrupt a conversion to tourist orientation is going to displace some locally oriented services in downtown. Carried to extremes, downtown Juneau would then lose much of its attraction to residents and to outsiders as well. Its greatest appeal to visitors and tourists is that it represents, within the space of a few blocks, a cross-section of life in Juneau and a chance to rub shoulders with Alaskans going about their daily business. The challenge of historic development, in Juneau as in other cities, will be to rehabilitate -- and occasionally to replace -- its historic buildings without destroying the life that is the reason for those buildings.

Downtown Characteristics

History of Juneau

Beginning long before the white man's appearance, the Juneau country was settled by the Auke and Taku tribes of the Tlingit-Haida natives. The Spanish explorer Don Juan Francisco de la Bodega y Quadra explored the nearby waterways in 1779 and gave the name of San Carlos to what is today Douglas Island. In 1794, Captain George Vancouver, the English navigator, charted the northern portion of Southeast Alaska, giving Douglas Island the name by which it is now known.

Until its purchase by the United States in 1867, Alaska was an outpost of the Russian Empire, and its principal activity was the fur trade. Juneau and Douglas Island remained little changed until the discovery of gold-bearing quartz and gravels in the Gold Creek basin during the summer of 1880. As a result of this discovery, Juneau became the first Alaskan town to be founded in Alaska after the American purchase. The town itself bears the name of one of its earliest prospectors and most determined entrepreneurs, Joe Juneau. An English surveyor, John Gastineau, lent his name to the town's sole access in the early years, the Gastineau Channel.

The general position of Front, Seward, Main and Franklin Streets marks the waterfront of Juneau's early years and is the point where the town of Juneau actually began. From this precarious landing, the town spread north and eastward up the slopes of Star Hill, as land was gradually cleared.

Numerous other gold strikes were made in the Juneau area following the 1880 discovery, including that of gold-bearing quartz on Douglas Island. Although none of these produced a stampede on the scale of the earlier Klondike Gold Rush, many hopeful prospectors and small merchants did descend on Juneau. It soon became evident that although some gold could be extracted from placer deposits, most of the real wealth was locked in load ores within the mountain itself, which required large investment in heavy equipment for deep tunneling and processing - an investment far beyond the means of small adventurers.

Large scale mining activities soon began in Juneau and on Douglas Island, and by 1893 the area had become the largest mining center in all of Alaska. By 1895, nearly all of the ground throughout Juneau was patented and was being worked by mining companies whose deep-lode operations gave employment to one thousand men.

By virture of its vigorous economy and its growing population, Juneau quickly attracted notice as Alaska's most prosperous city. In 1900, the newly incorporated mining town became Alaska's territorial capital. In the early teens of this century, several mines and mills were operating on Douglas Island, at Thane and in Juneau itself. In Juneau, the Alaska Juneau mine was the largest and longest lived, and the wood streets and docks of downtown Juneau were gradually filled with rock and tailings from the Alaska Juneau operation. The town grew steadily with its mining industry until, in 1944, the wartime manpower shortage together with the increasing costs of deep-lode mining compelled the last of Juneau's large mines to close. By that time, fortunately, Juneau had become a city whose transportation and governmental activities had provided it a diversified economy capable of overcoming the shock of mine closures. Juneau thus escaped the fate of Dawson and other gold rush camps that had flared briefly and then been extinguished.

Juneau has ever since experienced a steady growth, for which Statehood and increasing governmental operations are chiefly responsible. In 1880, Juneau's population was a meager 2,100; in 1980 it stands at 20,000 and continues to grow. Despite continued uncertainty about relocation of the State capital, Juneau continues to be an optimistic and creative city, wholly committed to its own success.

Downtown Economy

Available data on the economy of downtown Juneau is too incomplete at this time to attempt any positive analysis or recommendations. Nevertheless, there are significant inferences to be drawn from what data is available, and some of these inferences will be discussed here. It should become obvious as this discussion proceeds that one of the most useful efforts Juneau can make will be to undertake a detailed economic and marketing study of the present downtown. From the evidence at hand, such a study will disclose reasons for concern and for hope - in equal portions - that downtown will improve itself in the total Juneau economy.

During the last ten years, Juneau has grown from a city of 13,500 to 20,000 people. In the same period, employment grew from 6,500 to 10,500, which is to say, by a greater percentage than the population as a whole. As this might indicate, family size has decreased markedly over the decade.

A review of sales tax receipts since 1971 indicates that sales in the Juneau Borough have grown from $461 million to $1,700 million in 1980 - nearly four times. Downtown Juneau, although it doubled its dollar sales over the period, declined in relation to Juneau as a whole from 78% of the sales in 1971 to 44% of the sales in 1980. This demonstrates that, despite a 62% increase in wage earners, downtown Juneau received virtually no benefit from growth during the '70s. What is more, this demonstrates that downtown Juneau's sales failed to keep up with inflation over the same period.

Projections for future growth are usually carefully hedged to account for future relocation of the Alaska capital. Making the assumption that the capital will remain in Juneau, the Alaska Electric Light and Power Company has projected a growth rate in the '80s about equal to that in the '70s, which means that current population will again increase 50% by 1990. However, the utility expects its downtown customers to increase by only 2% per year, while outlying areas will increase by 6 to 10%. The utility's projections are therefore 'straight-line' projections of current trends, which lead to very conservative conclusions that are appropriate for estimating power demands but are not necessarily reliable for comprehensive planning purposes. Obviously, it is in Juneau's power to control where growth occurs, which may considerably modify these findings between now and 1990.

It is relatively simple to discern trends during the 1970s. Juneau grew explosively; most of the dollar growth occurred outside Juneau's historical center; and downtown Juneau failed to capture most of that growth. So far as trends through the 1980s are concerned, an informed economic analysis will require additional information. For example, has commercial construction in suburban Juneau outrun the growth in Juneau's population and housing pattern and will it tend to level off? Will housing types change from single family to multi-family because of housing costs, and if so will this construction occur only outside the downtown area? If the capital remains in Juneau, will government population really rise 50% or will much of this government growth occur elsewhere? At what level of growth will major department and grocery store chains expand into Juneau, and when they do, where will they prefer to locate? Is downtown Juneau capable of attracting regional shoppers because of its diversity of services; is this diversity changing; and if so, when will it reach a point of no return? Is tourism a significant element in the downtown economy; is it a growing proportion of that economy; and if so, is it growing faster than the rest of the downtown economy? Answers to these and other questions will make it easier to assess what special efforts need to be made for downtown, and how soon, such as parking improvements and a housing program.

The effect of downtown preservation and rehabilitation will certainly have the same beneficial effect on the immediate economy that preservation has afforded elsewhere. So will the incentives for structural and business preservation that are suggested later. For long range and long lasting economic health, however, it is the consultants' view that downtown must continue to make itself indispensible to Juneau. It will do that if it continues to offer essential goods and services, and provides them in sufficient diversity and number to successfully compete with suburban centers. The recommendations here are a conscious attempt to guarantee just that.

Topography

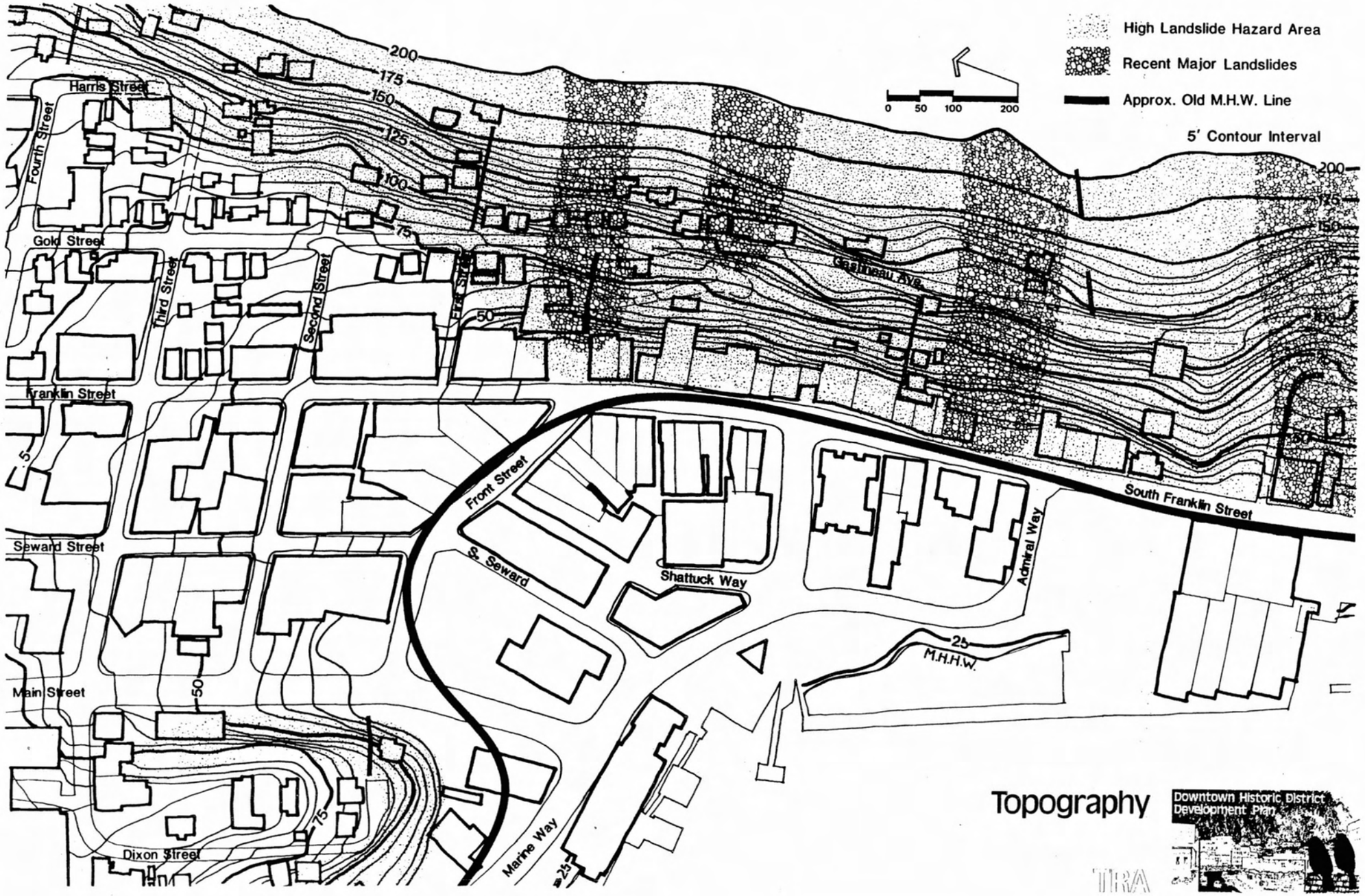
Downtown Juneau is enclosed by dramatic land forms. To the north and east are steep, wooded hillsides with rock outcroppings which dominate the human settlement below. Small, scattered pieces of that settlement have taken hold on these hillsides, precariously arranged at the heads of long wooden stairs and sidewalks climbing up from the streets of Juneau. The hills have crowded Juneau against the shoreline of the Gastineau Channel, a tidal waterway that was, until the appearance of the airplane, the only means of access to the city.

This crowding between hills and water contributed a special intimacy to Juneau. The original town began along the water's edge, which then lay along the line of what is now Front Street. Over the years, sizable areas of the shoreline have been filled, where once nearly half the present downtown was wooden docks and buildings on piling. Until recently, this limited area, together with the Gold Creek valley which lies beyond a promontory north of downtown, contained the principal buildings of Juneau.

Together, these two features of Juneau - slopes and shoreline - still present a challenge to Juneau. Along the shore, many buildings still rest on original wooden pilings, although the adjacent streets and some tidelands have been banked and filled. The high water table forbids conventional building construction and basements, while it contributes to decay of the piling which supports substantial portions of the proposed historic district.

The hillsides to the east have many times threatened the downtown with snow and earth slides, so that portions of the downtown that are free from tidal water problems are troubled by the need to maintain stout retaining walls many of them fifteen feet and more in height, against the progressive encroachment of unstable earth. A 1972 report entitled 'Geophysical Hazards' describes the problems of earth and snow slides without specifying any particular solutions for them. The uncertainties this leaves has led the consultants to propose that Juneau seek out solutions and implement as soon as is practical, since the downtown commercial district as well as historic preservation depends upon it.

Those buildings which rely on piling foundations require equally urgent solutions. Over the coming years, many will require repair and replacement of their present foundations. They will need and merit some assistance in doing this if they are significant portions of the historic district. Many of them are, and later recommendations will describe some alternative ways in which to assist them.



Topography

Downtown Historic District Development Plan

TRA

Front Street, 1909

Townscape

The strict physical containment of historic Juneau, fixed as it is between hills and water, and wanting to be as close as possible to the mine, has imposed a remarkable character on Juneau. It is not too impetuous an exaggeration to liken Juneau to European towns; alone among Alaskan cities, Juneau has the same dense and compact arrangement of small, irregular buildings pressing close to narrow curving streets, that European towns have which were forced to grow inside defensive walls or on hillsides. At the edges of the downtown core this compactness has begun to dissolve into vacant land and parking lots, but it is clear from historical records that this was Juneau's character over a wide area, ranging from the present capital complex south as far as the ferry docks.

And like these European towns, Juneau's urban form has less to do with romance than it has to do with opportunism and commercial bustle. Leaving apart the seamier sides of Juneau's adolescence, there were practical advantages to Juneau's crowded downtown which the science of urban planning has begun to recognize only recently. Juneau began and persists in being a pedestrian city. Cynics might say that downtown Juneau has everything it takes to irritate the motorist, but the proper rejoinder to that should be that downtown Juneau has all the best characteristics of a regional shopping mall or major urban market, and no one expects to shop by car in either one of those. And because these characteristics are of immeasurable value to Juneau's competitive position in the region, these characteristics deserve special mention here.

The downtown core, which is the portion recommended to become an historic district, is predominantly composed of small, irregularly shaped lots. Because of their size and shape, these properties are best used as small retail frontages, and the streets in the core area are continuously lined with small shops, none of which is vacant or unused. Above the street floor, most of these buildings have residential units or small offices in spaces which were formerly residential types of construction adding up to no more than three or four stories in all. Within the core area, virtually all these buildings directly abut the street property line (and in some cases even encroach on the street right-of-way).

This tight massing of buildings forms a strong definition for Juneau's street network, unlike many modern downtowns, where building plazas and setbacks have effectively destroyed the sense that the street is a contained space or that buildings facing across such streets have any kinship whatsoever. In Juneau, the street walls not only firmly enclose the street space, they call immediate attention to the slightest variation in the street alignments. The curves along Franklin and Front Streets, for example, are easily anticipated from some distance away by the visible curve in the street walls.

This characteristic of Juneau's streets invites as much attention to the shape of the street voids as it does to the individual details of solid buildings, and many of the recommendations which follow are intended to strengthen this character. As it happens, the typical width of streets in downtown Juneau varies between forty and fifty feet, which is precisely the rule of thumb width that shopping center developers have used in constructing indoor shopping malls. These developers claim that malls which are wider than this lose the feeling of direct relationship between storefronts that encourages shoppers to cross back and forth across the mall. This may seem to be a subtle consideration, but it appears that the ability to see window displays and read signs across a street quickly decays beyond fifty feet and this alienating effect is reflected at the cash register. Fortunately, Juneau's streets follow the rule, and their general atmosphere of busy intimacy and confident jaywalking seems to prove the rule.

The comments above begin to introduce a special element into the subject of downtown historic development, which is often termed 'townsca e'. Juneau has unique features of townscape that lie outside the con ern to preserve individual buildings, and this townscape is as importan to preserve as are individual buildings. To the extent that those re definable, Juneau's townscape features are the basis for several recommendations for zoning and construction guidelines which follow late in this study. In an attempt to describe them better, the following is a list of the most obvious townscape elements.

Containment of downtown streets. This refers not only to t e enclosing building walls, but to the fact that curved stree s appear shorter and more human in scale than straight street going on to the horizon. Even Juneau's straight streets yi ld contained views of nearby slopes and hills, which is anothe dimension of containment.

Appropriate building heights. In the core district, these heights vary between twenty-five and fifty feet, with the majority being under thirty-five feet. This indicates an ideal ratio of building height to street width that is an important ratio to maintain, for reasons of light and air a well as architectural scale.

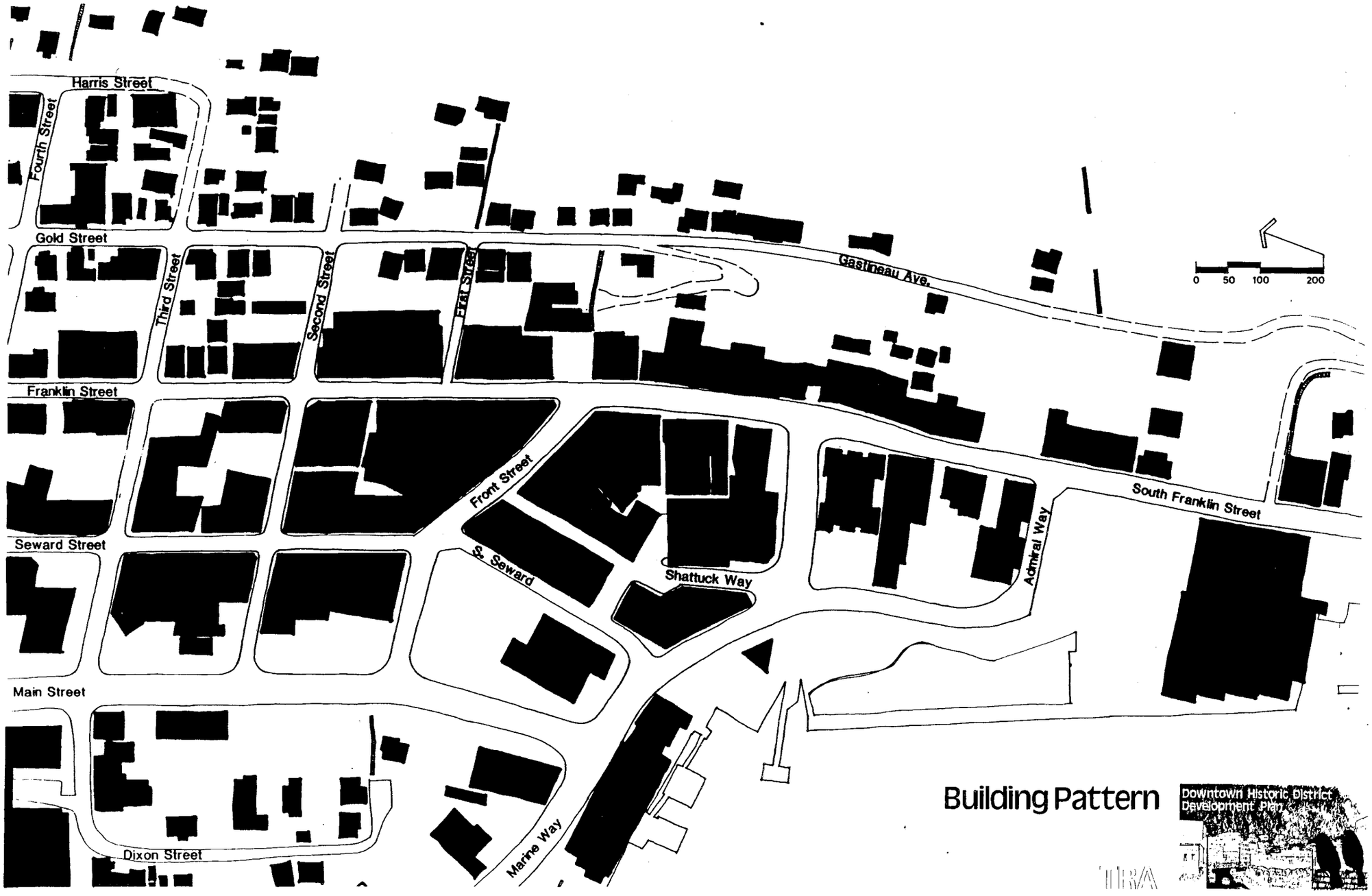
Sidewalk canopies and marquees. Although, strictly speakin , these are not authentic historical parts of most downtown buildings, the sidewalk canopies are genuinely practical an are perfectly continuous throughout the core district. The r visual effect is to reinforce the continuity of the street walls and to provide a closer and even more protective containment. These canopies are probably the strongest uni ying element in the core district and in many ways serve to make he storefronts more of an important element than the tops of bu ldings, since they are viewed and experienced separately.

Unpretentious architecture. Despite Juneau's strong project on of personality, the buildings which make up the downtown core a e, with few exceptions, modest in style and construction. Most of these buildings are of wood frame construction, nearly all e mploy stock window sash, most are relatively free of decoration an d most are of a height which is limited by wood frame construction to two or three stories. In fact, the unique qualities of June u's streets are created by the consistent repetition of vernacul r architecture and available technology. Even admitting occas onal exceptions such as the Gross 20th Century Building, downtown Juneau typically has no truly monumental buildings, with the result that it remains a remarkably unified townscape ensemb e.

Intimate scale. Several components of this intimacy have already been mentioned, such as the narrow shop fronts, the continuous street canopies and the street enclosure that results from curves and slopes. In addition to these, however, Juneau has an intriguing diversity of small alleys, stairways and courts that emphasize all the more that Juneau is a pedestrian settlement. Most of these have building entrances and even storefronts along them, which is to say they have a utilitarian purpose. Although one or two of these spaces are said to be troublesome because of upkeep or social problems, the fact remains they are valuable pedestrian resources and since they serve a useful pedestrian purpose they are better developed as amenities than abandoned or replaced. The stairs of course are necessary to connect retail and residential segments of downtown and will be greatly enhanced by denser residential development. Alleys and courts offer promising opportunities for additional storefront activities which will increase foot traffic and encourage even better maintenance.

Failings. Beside Juneau's many unique advantages, there are some ways in which the downtown is disappointing. Although there are relatively few such disappointments, they represent opportunities to improve the downtown and must be mentioned. One of these is the disappearance of buildings around the core area which gives a frayed look to the downtown. Streets that once formed an architectural frame for views and offered shelter from wind and rain have lost their integrity to demolition and incompatible development. This is particularly apparent at the south end of Franklin and where Front and Main Streets meet. New construction in these areas should make every effort to replace the street walls that have been lost. Here and there within the core area, there are gaps such as the one at Front and Franklin Street, where there is an opportunity to provide a sheltered open space that will repair the break in continuity along the east side of Franklin. Maintenance of buildings and streets is uneven at present, a problem that modest public and private improvements can quickly correct. Telephone and power lines, although these are not an overwhelming offense, have grown into a visual problem simply because little care has been given to how they are routed across streets and into the sides of buildings; all of which can be corrected without much expense by the utilities themselves.

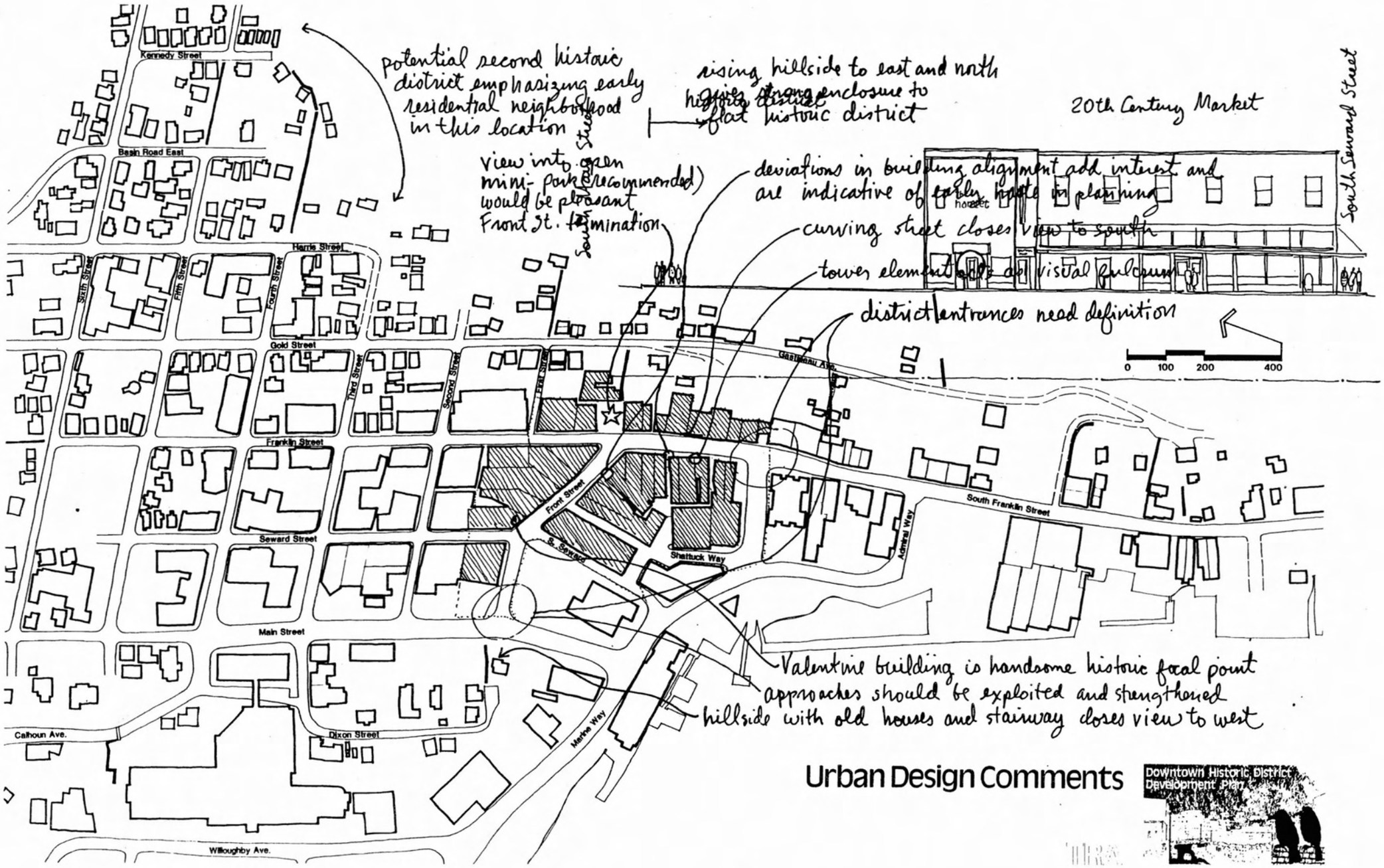
These comments are merely an abbreviated account of the visual impression Juneau makes on the visitor to downtown. They reflect an important conclusion, which is that Juneau's townscape is an appealing one and as historically important as Juneau's buildings. For that reason it will be seen that many of the recommendations which follow are an attempt to preserve the townscape setting which gives importance to the buildings themselves.



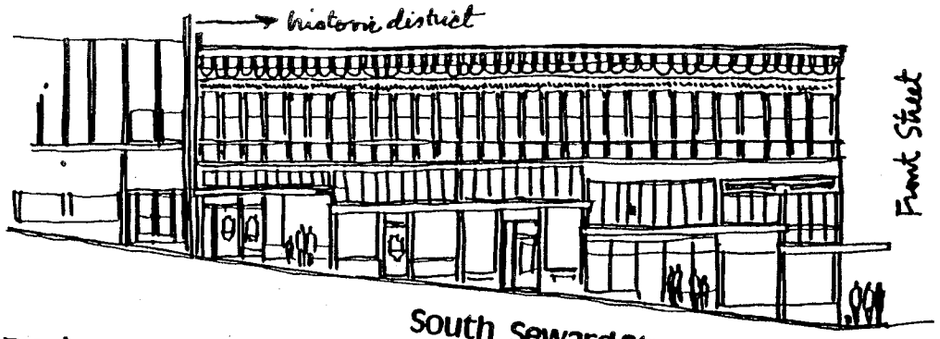
Building Pattern

Downtown Historic District Development Plan

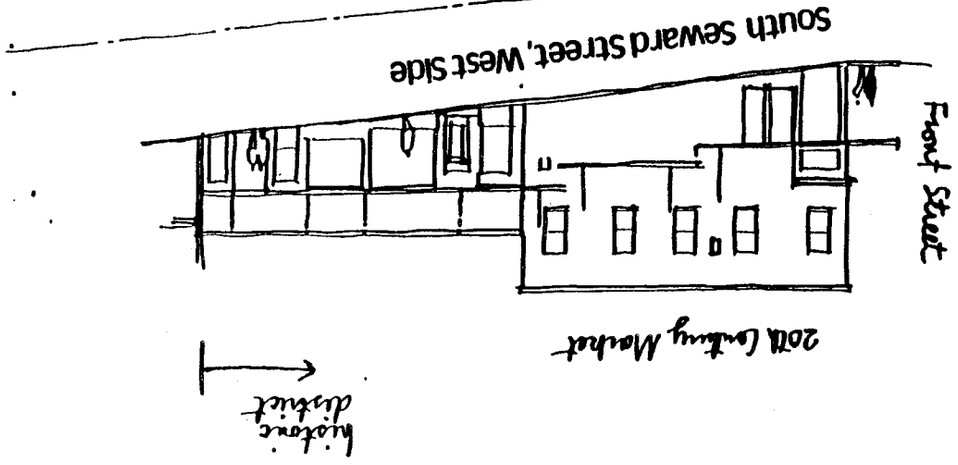
TRA

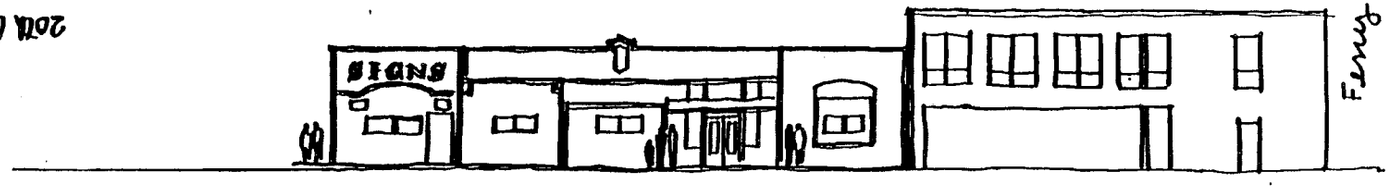


Urban Design Comments



South Seward Street, East Side

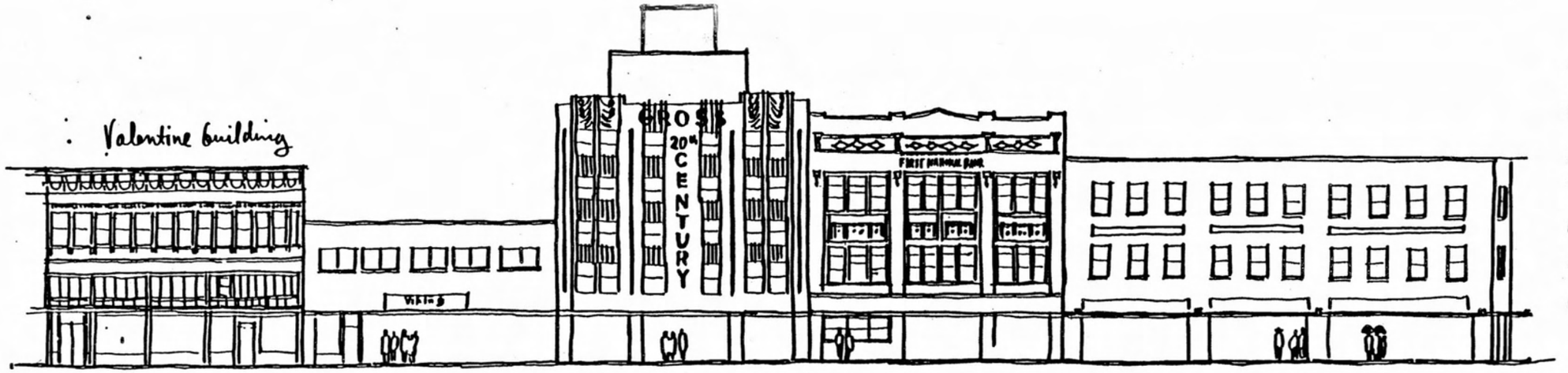




Shattuck Way, East Side

Street Elevations I

South Main Street
historic district
20th Century Market
South Seward Street
The hamlet



Front Street, North Side

Street Elevations II

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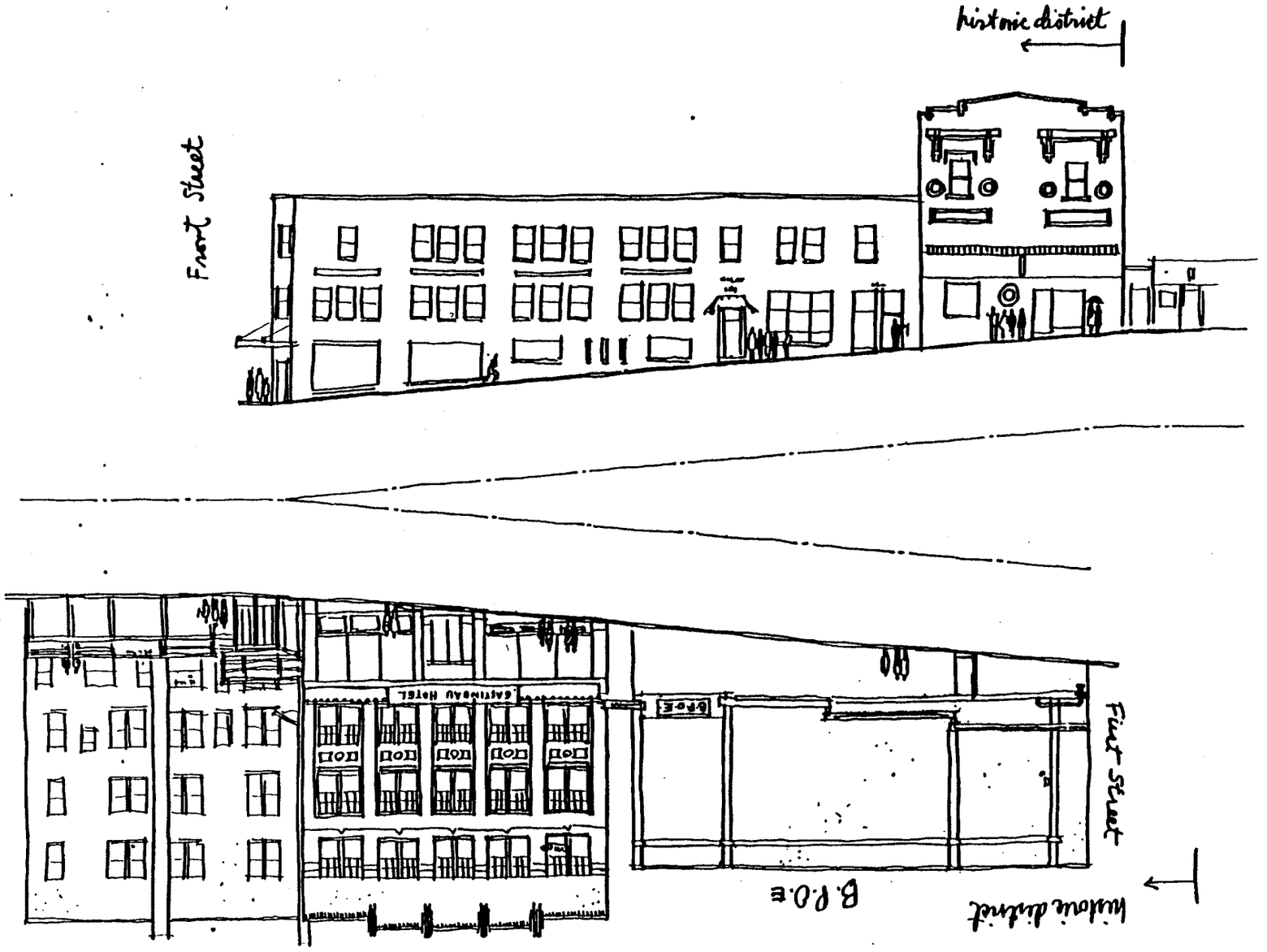
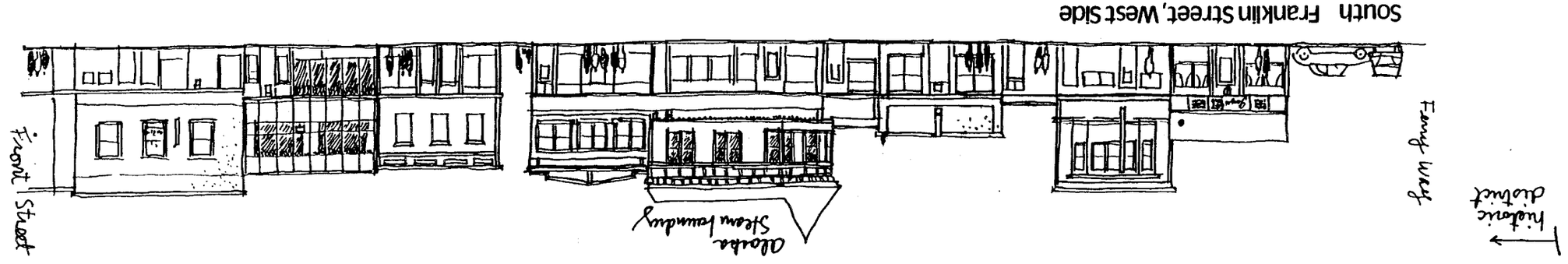
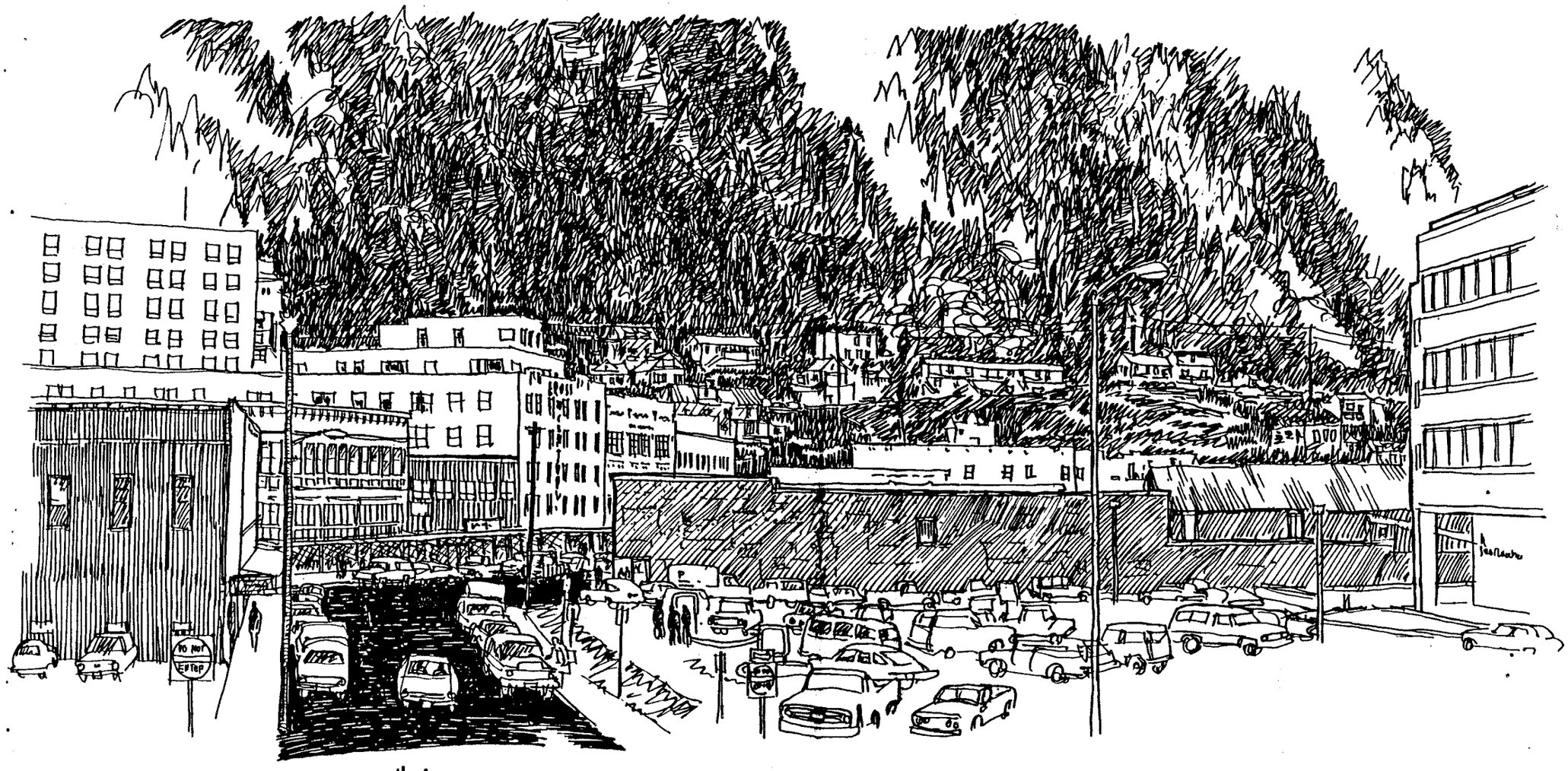

historic district
Front Street
EASTMAN HOTEL
B.P.O.E
First Street
historic district

South Franklin Street, East Side



Street Elevations III



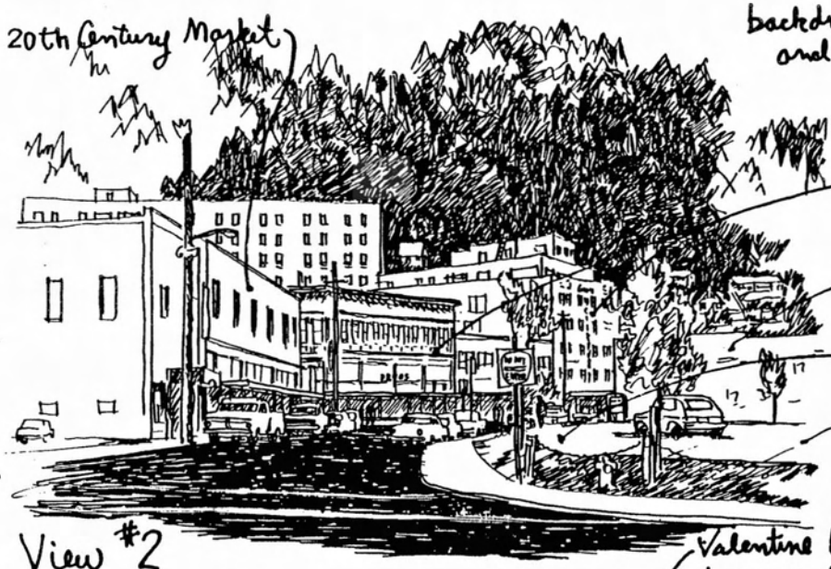
View #1
easterly from Main Street past Seward
toward Franklin and Mt. Roberts in background

Townscape Sketches I

Downtown Historic District
Development Plan

North

Key Map



View #2
easterly on Front from Main

View #3
Front Street easterly past Seward Street

View #4
from Seward east on Front to South Franklin

Front Street from Main to South Franklin Street

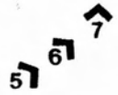
Key Map

Townscape Sketches II

View #5
on Front looking southwest from Seward

View #6
east on Front toward vacant lot on South Franklin

View #7
into vacant lot at east end of Front on S. Franklin



North

Key Map

Townscape Sketches III

View #8 from Sixth down Franklin
southerly toward historic district

View #9
from First looking south on Franklin

relative consistency and harmony
of building facades and canopies

View #10
south on S. Franklin
near Gastineau Hotel

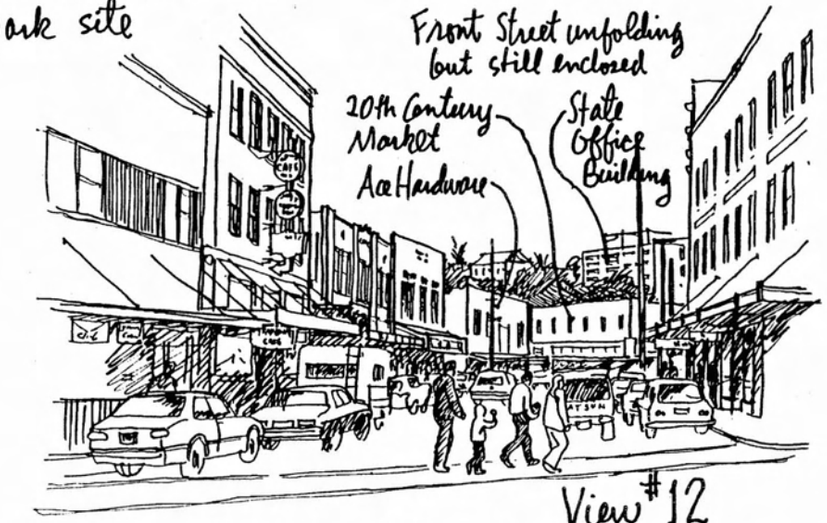
down Franklin to south from Sixth Street

8 9 10

Key Map

Townscape Sketches IV

View # 11
from vacant lot on South Franklin
looking westerly into Front Street
- recommended mini-park site



View # 12
west on Front Street from South Franklin

View # 13
west on Front Street from South Franklin

North

Key Map

Townscape Sketches V

curving street encloses view

Victorian roof cone serves as fulcrum and dramatizes entire street

View #14
south on South Franklin
from Front Street intersection

View #15
north on South Franklin
from Ferry Way

14 15

Townscape Sketches VI

North Key Map

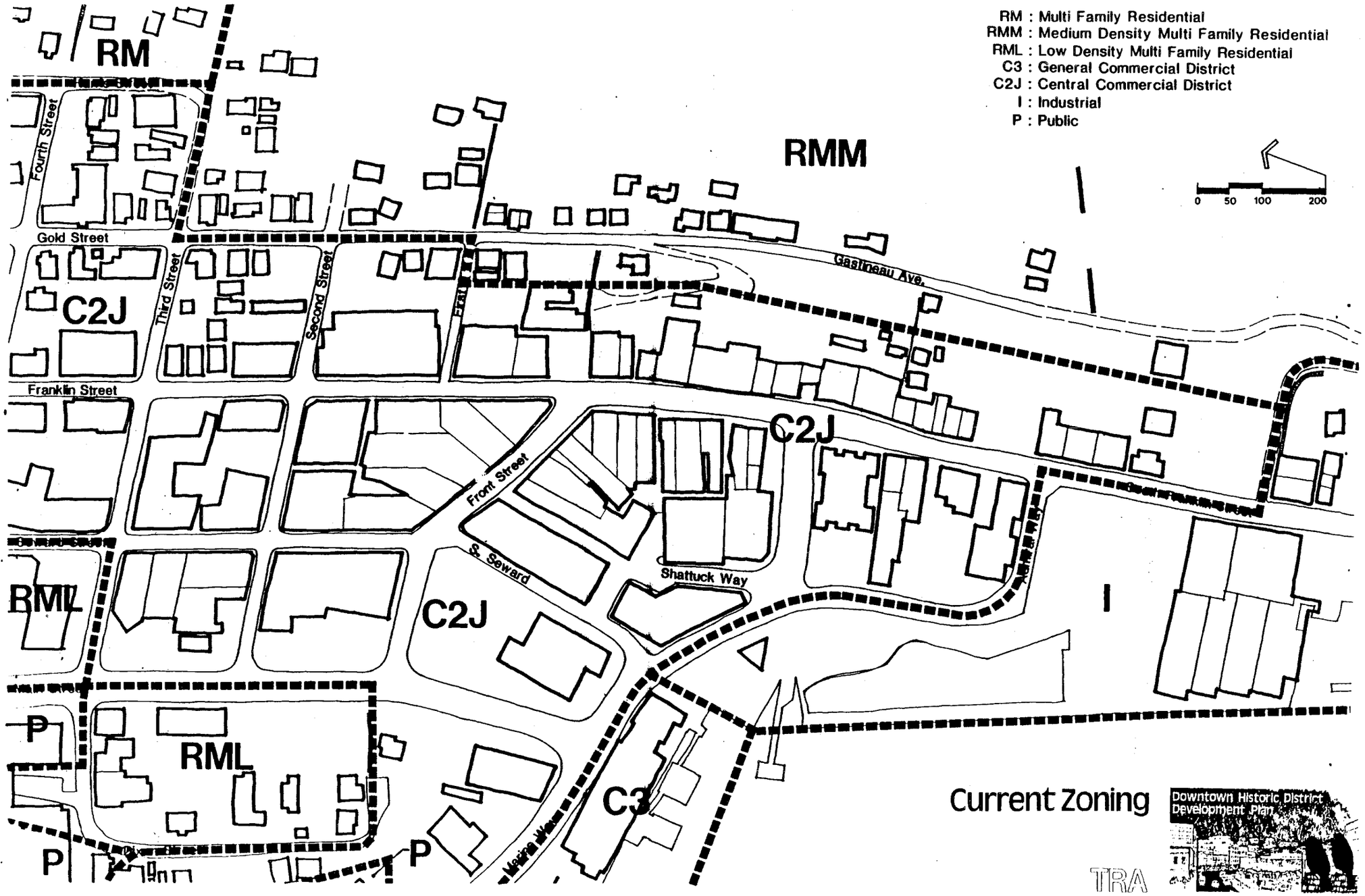
Zoning

Most of the study area lies within Juneau's C2-J zone, which designates the city's Central Commercial District. This zone emphasizes retail, office, hotel and governmental uses; residences above ground floor commercial spaces are permitted; but restaurants, bars, motels and movie theaters are permitted only with conditional use permits. There is no height limitation and no requirement to provide off-street parking. There is, however, a requirement that new buildings set back at least four feet from the property line of adjoining streets. Despite the commercial zoning, the core area consists of a mixture of uses, ranging from single family houses to major offices and hotels.

The hillsides that border the downtown on the north and east are in the RM or Multiple Residence zone, which permits most forms of housing from single family up through large apartment buildings, as well as small offices and institutional uses.

The waterfront to the south and west is largely zoned for industrial uses, although a sizable portion of this area is in fact devoted to a water-front park, public parking areas and a dock for cruise ships.

Within the core area proposed to become the historic district, there is good reason to consider modifications to the present zoning. The consultants will recommend specific amendments in later sections of this study. The objective of which is to preserve the scale of Juneau historic townscape. This will require deleting the present requirement of a four foot street setback at least for the first three or four stories of high buildings. In addition, there is a sound argument to prohibit certain uses outright, such as parking lots (not parking structures) and permitting outright some benign economic uses such as restaurants. Finally, and depending on the housing policy adopted by the Juneau government, it would be appropriate to provide zoning incentives to provide housing in the downtown district. The need to encourage housing is also discussed below.


RM : Multi Family Residential
RMM : Medium Density Multi Family Residential
RML : Low Density Multi Family Residential
C3 : General Commercial District
C2J : Central Commercial District
I : Industrial
P : Public
0 50 100 200
RM
RMM
C2J
C2J
C2J
RML
RML
C3
I
P
P
P
Fourth Street
Gold Street
Third Street
Second Street
First
Gastineau Ave.
Franklin Street
Front Street
S. Seward
Shattuck Way
Main St.
Marine Way
Current Zoning
Downtown Historic District Development Plan
TRA

Land Uses

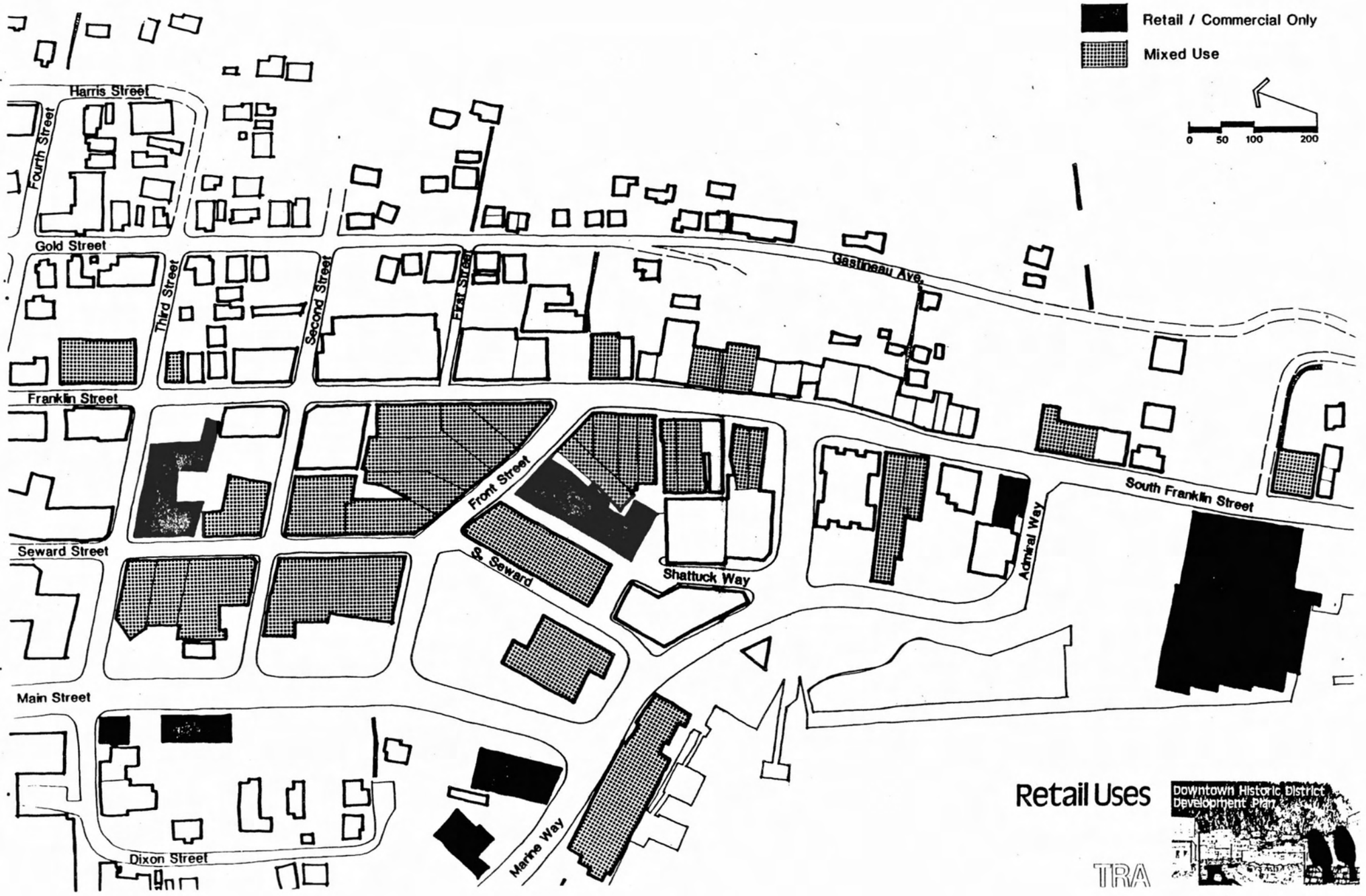
The striking feature of Juneau's present downtown land use pattern is the richness of its mixture. One of the following illustrations records the number of existing buildings housing two or more uses and it will be seen that most of the downtown core is composed of multiple use buildings. And of that number, the overwhelming majority are retail or eating and drinking establishments at street level.

Gastineau Hotel

The pattern of continuous and narrow store frontages has been remarked on as a positive feature of Juneau's townscape - a feature that is one of the principal attractions of downtown Juneau which it should be Juneau's objective to preserve. Because of the growing shortage of office space in Juneau, there is a tendency to replace residential units with offices in the downtown core, which adds to the concern for maintaining housing in the downtown. The housing problem is not helped by the replacement of housing with commercial and retail uses in the areas adjacent to downtown. The importance of maintaining or constructing new housing to benefit downtown business is referred to several times in the recommendations which follow.

The number of ground floor retail establishments, together with their diversity, tells much about Juneau's downtown economy. It is clear that this is a reflection of downtown Juneau's historical position as the region's primary supplier of goods and services. One way of viewing the importance of a district is whether its customers regularly shop at two or more businesses in the course of a trip. In Juneau's case, this is a common pattern for the reason that downtown Juneau offers great diversity of goods and a sufficiently large number of them that there is competition between like businesses in the same limited area. At its best, a business district allows this kind of shopping within a three or four block area in order to make the most of pedestrian habits. This is precisely Juneau's situation, so that preserving its present mix of businesses represents a useful competitive advantage over regional shopping centers where there is less diversity and less competition. If access by bus or car can be made easy, downtown Juneau's competitive position within the Borough should continue to be a strong one. And finally, the growing density of daytime office population, which is typically a pedestrian population, will continue to be the major impact on downtown's health and diversity.

There are some categories of uses that downtown noticeably lacks; most notably, food and department stores. The people who decide such things, do not decide to build supermarkets or major department stores except in large population centers where there is also abundant land with good transportation. At present, Juneau may be somewhat lower in population than this kind of marketing requires, but with continued growth such a market may well develop. A major reason to encourage higher housing densities near downtown is that preserves downtown as an option for such developers. As the suburban shopping center experience tells us, the drawing power of department and food stores has a beneficial effect on smaller, surrounding businesses. Preserving this option should become a serious concern of Juneau's future planning.



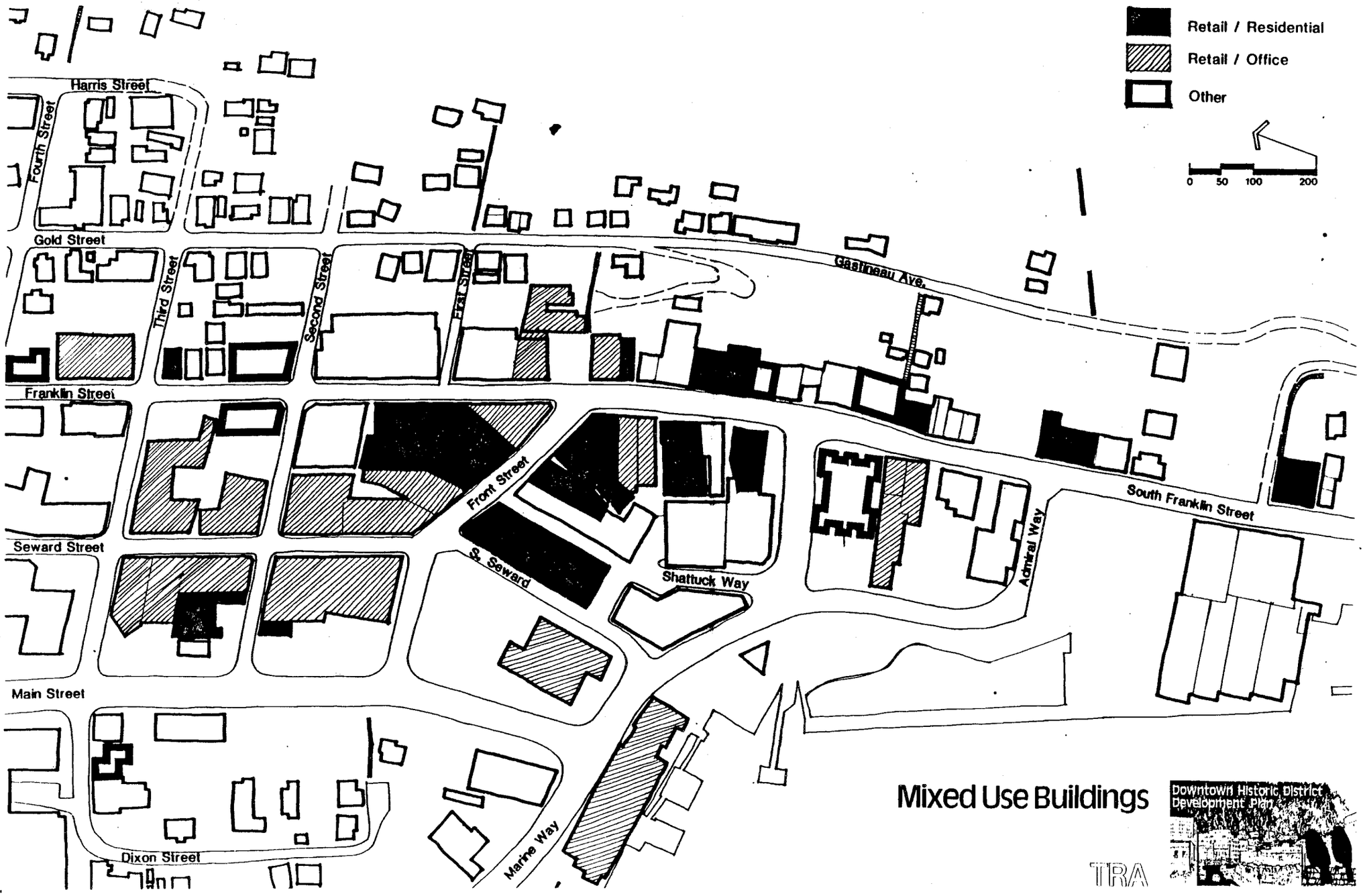
Retail Uses

Downtown Historic District Development Plan

TRA

Hotels, Eating and Drinking Uses

TRA



Mixed Use Buildings

Downtown Historic District Development Plan

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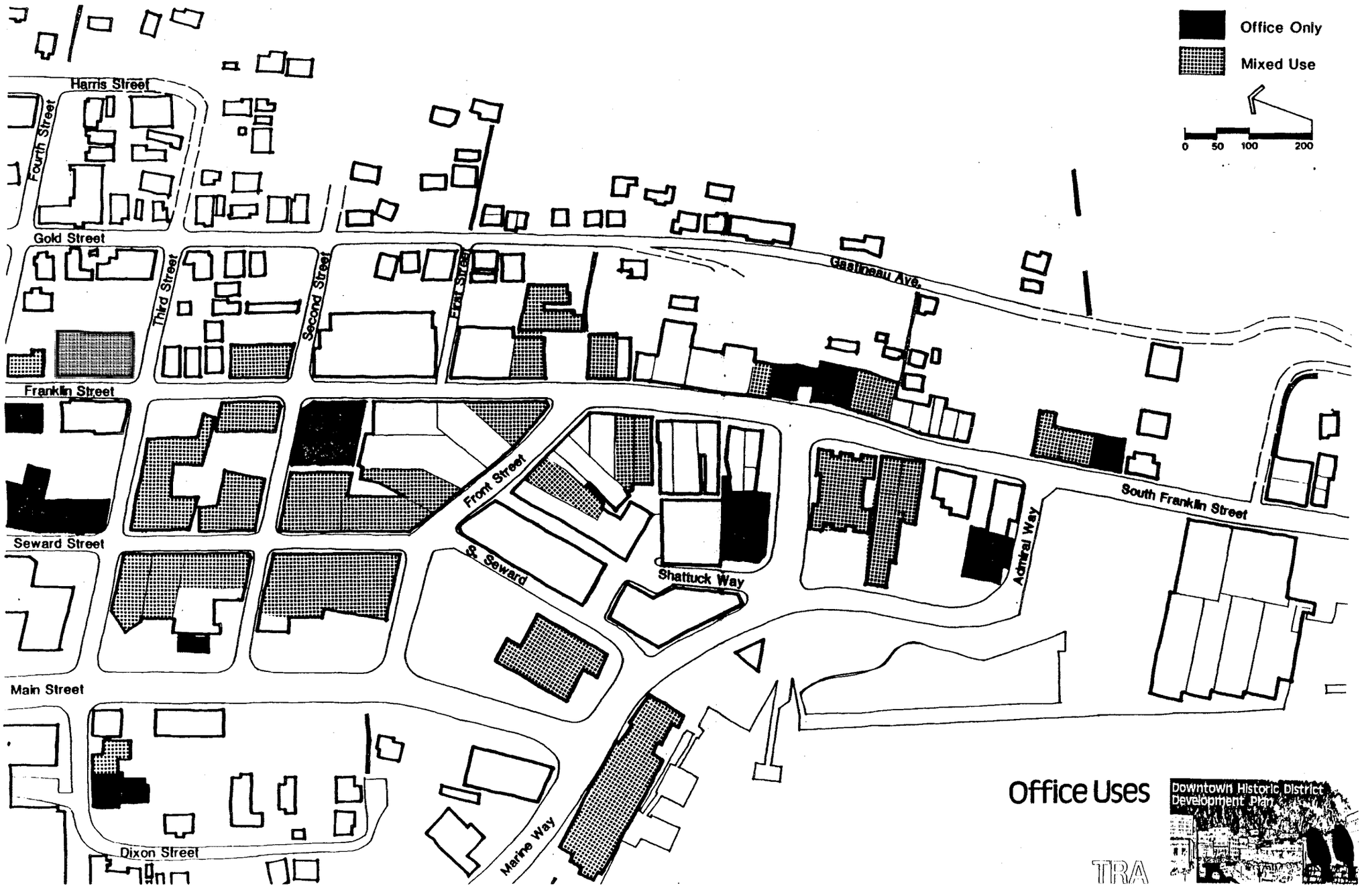
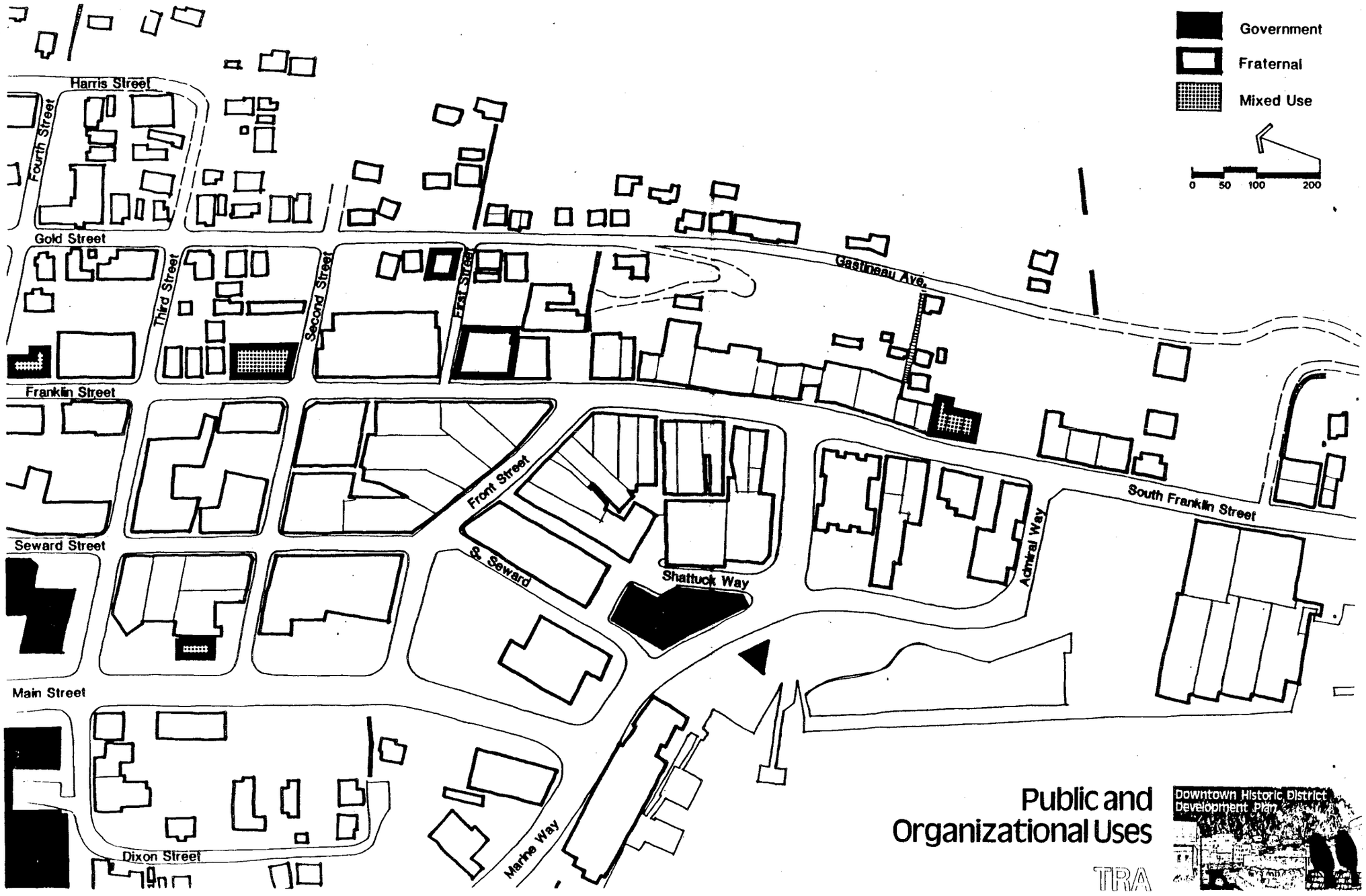


Office Uses

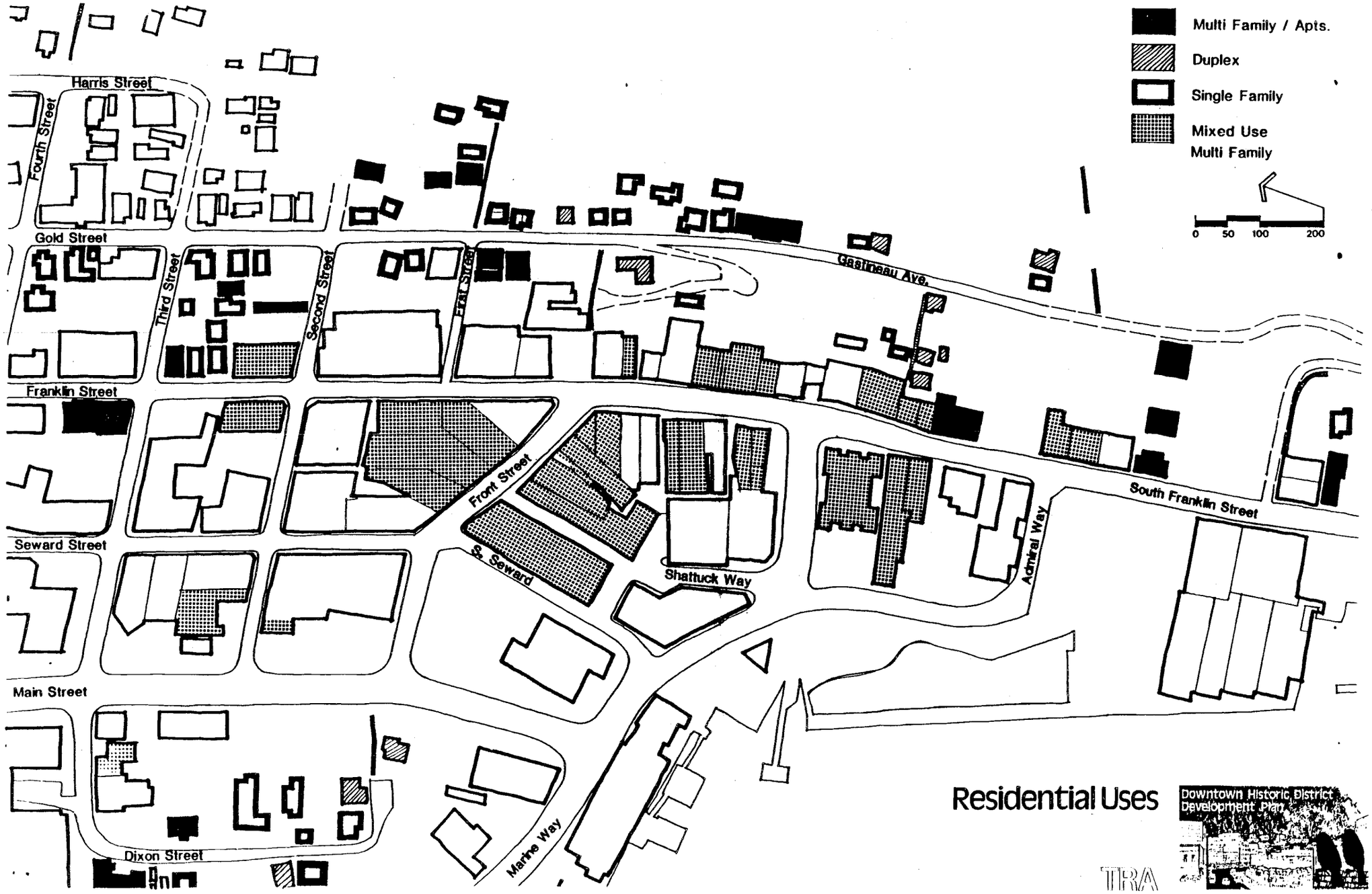
Downtown Historic District Development Plan

TRA



Public and Organizational Uses

TRA



Residential Uses

Downtown Historic District Development Plan

TRA

Traffic Circulation and Parking

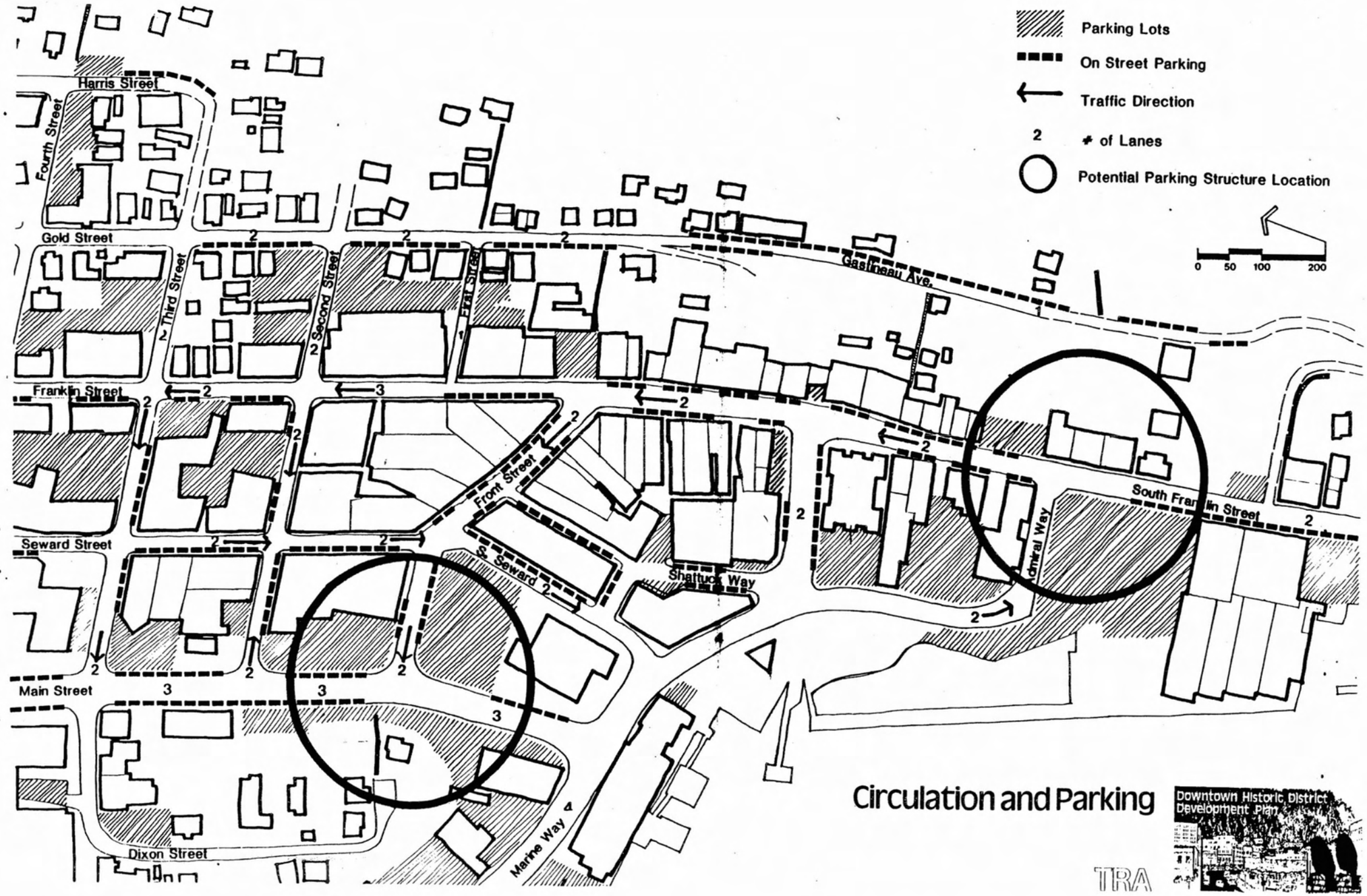
The study area is served by an irregular network of narrow streets, most of which provide for only two lanes of moving traffic. Most of these streets have recently been converted to a one way street system, except for Marine Way and Main Street, both of which serve as major feeder arterials along the north and west sides of the downtown core.

Most streets in the downtown core provide parallel parking on one, and occasionally on two sides. Several streets, however, are too narrow to permit any parking at all. A number of surface parking lots are distributed around the edges of the core area, but the majority of these is dedicated parking, either through long-term leasing or by being accessory parking for relatively few buildings. In the areas nearest the Capital buildings and government offices, on-street parking is usually absorbed by government functions, making the shortage of retail parking especially acute in that area.

Attention to the parking problem suggests relatively few alternative solutions. Better public transportation is clearly the beginning of a solution it would also assist downtown Juneau if the capital campus were to construct more storage and short-term parking toward the north of the campus in the Willoughby Street area - and to effectively direct people on government errands to take advantage of it. New parking development for downtown may be either individual and scattered flat sites, or be structured parking on relatively few sites. Because the first encourages random demolition of buildings and the wasteful use of building lots, the second choice appears the best and is recommended here. Two general locations for structured garages are indicated by circles on the illustration of circulation and parking, which is discussed more fully in later sections of this study.

From a townscape point of view, the most effective gateway to Juneau's downtown would be to enter Juneau from the north along Front Street, since the sequence of views from that approach is the most favorable to Juneau. However, it appears impractical to pursue this possibility, since the traffic pattern along Franklin and in the vicinity of the Baranof Hotel would be seriously disrupted. Therefore no change to this pattern will be recommended.

For similar reasons, the establishment of a pedestrian mall on Franklin or Front Street presents difficulties, although it does appear reasonable to attempt a pedestrian street along Front Street during off-peek hours. A recommendation to establish short term closures on Front Street on a trial basis is included later in the study.



Circulation and Parking

Downtown Historic District Development Plan

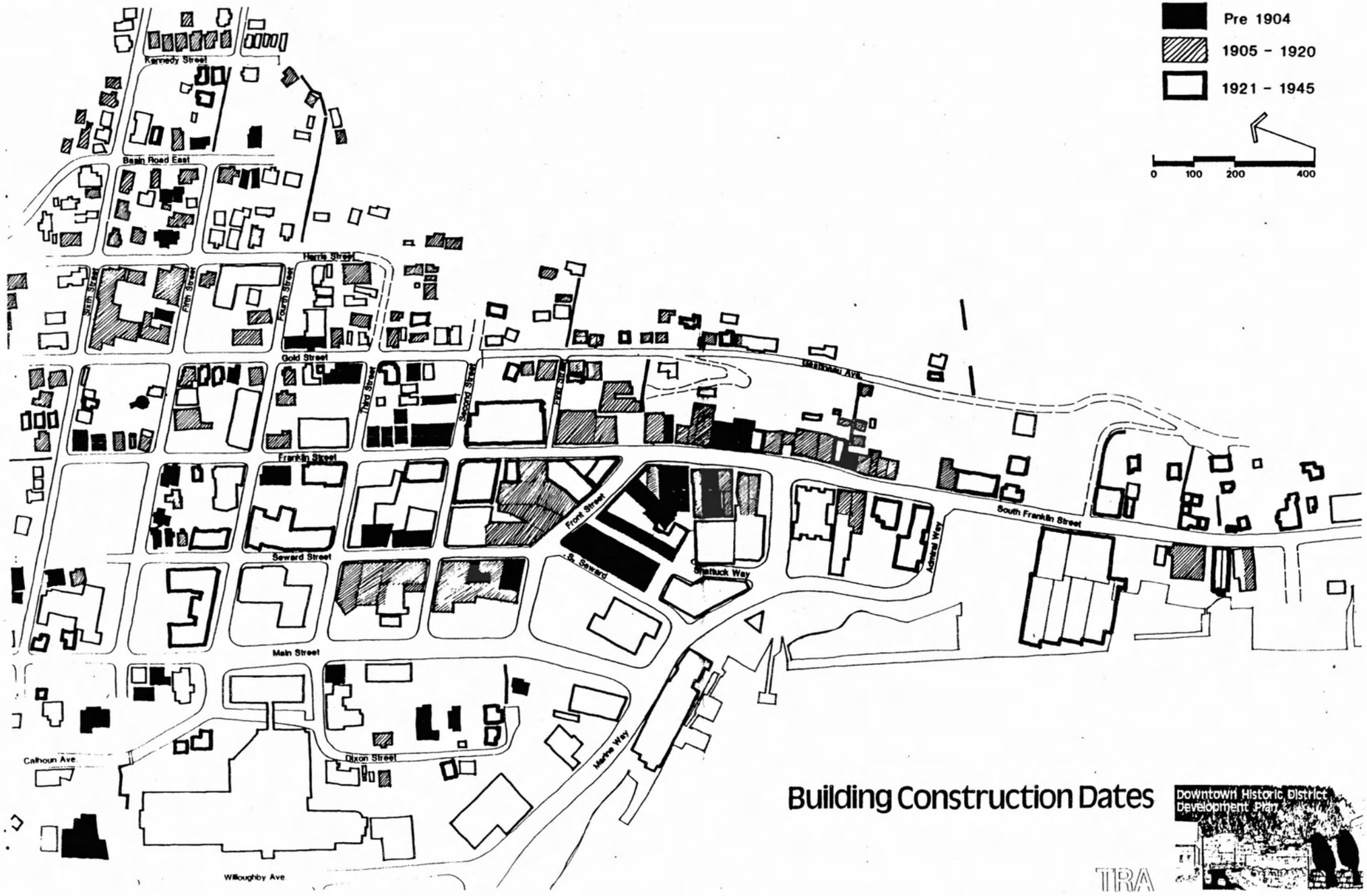
TRA

Historic Resources

Within the study area there are approximately two hundred bui
nearly half of which were built prior to 1920. About forty b
are seventy-five years old or more. With very few exceptions
the older buildings are of wood frame construction which refl
available materials, building technology and architectural st
the post-Victorian period at the turn of the century. Becaus
scarcity of materials, and the haste to build in boom time
possibly the lack of skilled craftsmen in Juneau at that time
detailing of the building fronts is more simplified than what
found in other west coast cities of that time. This is espec
noticeable in the straightforward carpenter detailing of corn
parapets and the repeated use of standard sizes of wood doubl
sash. It is evident that considerable building trim and feat
been removed or covered over as a result of repairs or altera
simply "modernization".

A considerable number of sites in the study area have been id
as having historical significance. Five structures are liste
National Register of Historic Places; more than fifty structu
listed in the Alaska Heritage Resources Survey. The listed s
include residential, commercial and religious buildings.

The City/Borough of Juneau currently has two designated histo
districts adjacent to one another in the downtown core. It w
seen in the accompanying illustrations that the two existing
comprise the highest concentration of known historic properti
Juneau and the most important portions of Juneau's downtown s



Building Construction Dates

Downtown Historic District Development Plan

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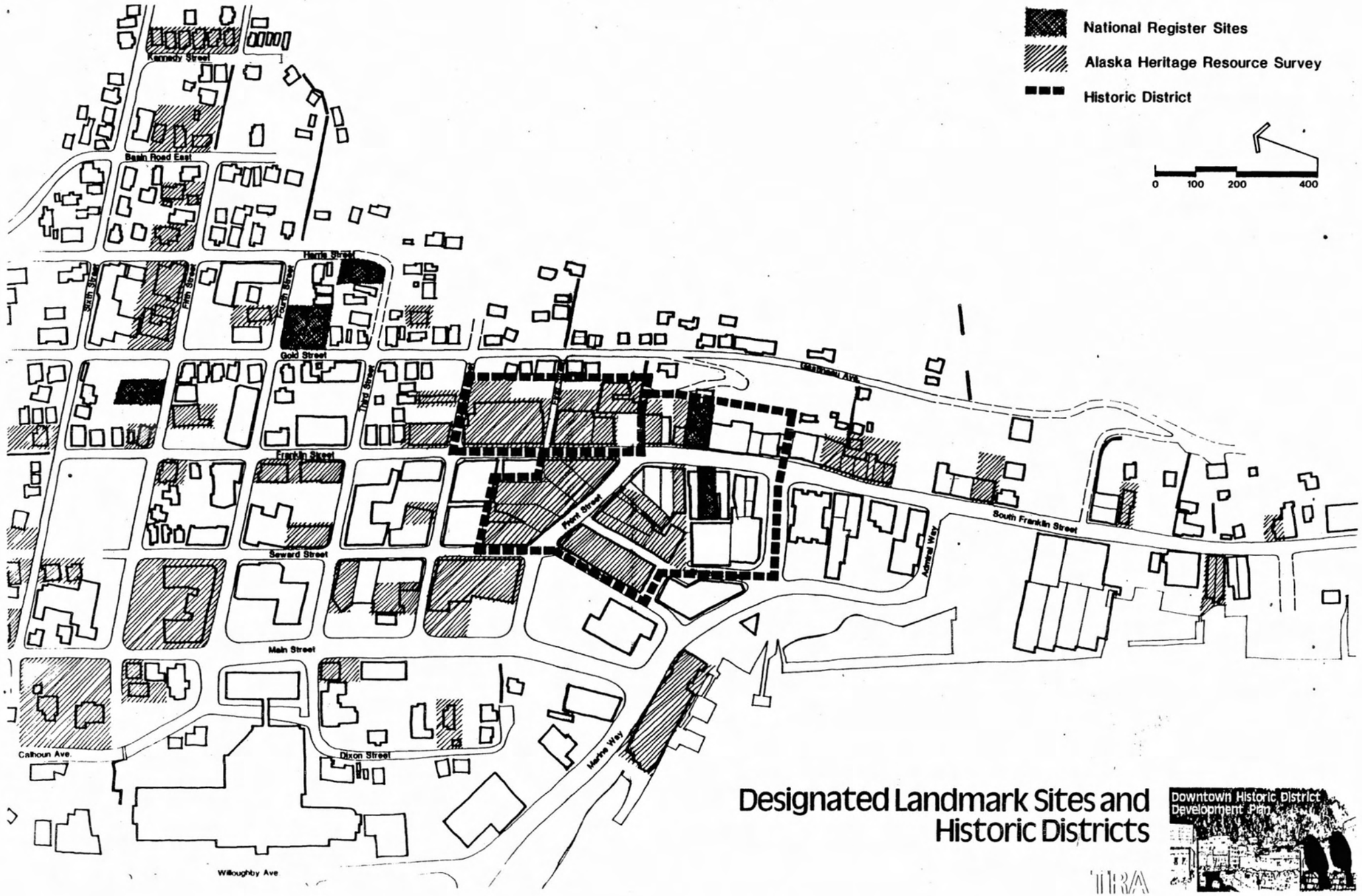


Designated Landmark Sites and Historic Districts

TRA

A Downtown Historic District

Criteria for Designation

In order to establish a recognized historic landmark district in Juneau, two sets of standards must be met. Under Alaska Statute 29.48.110, a local commission may establish such a district in consultation with the State Historic Sites Advisory Committee (Department of Natural Resources). To paraphrase the statute, such a district must be reasonably compact and contain two or more structures important in State or national history; these structures may either be listed in the National Register or be characteristic of the Russian-American, the Territorial or early native periods. The district must conform to the city's comprehensive plan. All these criteria are obviously well satisfied by the Juneau downtown historic district recommended here.

The second set of criteria is that for the National Register of Historic Places. To paraphrase once again, a district is a geographically definable area possessing a significant concentration of buildings united by past events or united aesthetically by plan or physical development. Such a district must demonstrate significance in American history, architecture, archeology or culture; and possess integrity of location, design, setting, materials, workmanship, feeling and association. Moreover, it must demonstrate an association with historical events or with historical persons; or embody distinctive style of construction, or the work of a master or possess high artistic values, or represent a significant and distinguishable entity whose components lack individual distinction; or promise to yield information important in prehistory or history.

The recommended district should therefore find little difficulty in being listed in the National Register.

Listing on the State and National Registers is an important prerequisite to obtaining the many benefits and incentives described later in this study. It must be pointed out that the Alaska State Historic Preservation Officer and State Advisory Council are influential actors in creating the Juneau district, and may even superimpose construction guidelines of their own if a local proposal is not adequately protective. The recommendations and guidelines which follow in this study are intended to satisfy both State and national guidelines, and preclude differences of opinion with either government.

Proposed District Boundaries

The decision to propose a relatively small area of downtown as an historic district follows an extensive field investigation of the study area as well as some adjacent districts. As a result of this investigation, the present proposal shows some differences from boundaries of the present downtown districts and is much smaller than the study area itself. The resulting boundary proposal appears on the accompanying map.

South of Ferry Street, the study area contains many properties individually worthy of recognition and even of preservation. Nevertheless, this was not considered sufficient justification to include these properties in an historic district, since on the whole this area is too rundown and too mixed in character to qualify as a district. It would be preferable to encourage new development in this area along either side of Franklin and to protect some significant properties, where necessary, by individual landmark designations.

Miner's Housing, Starr Hill

Gastineau Avenue was also considered for inclusion, especially because it has some striking, if deteriorated multiple housing. However, these were felt to be too few in number, too scattered, and of insufficient merit to justify including all of Gastineau in the district. The topographic separation from downtown is quite emphatic as well, so again it was felt that new development, especially by housing, would be preferable, in combination with individual landmark designations where those seem justified.

North of Second Street there are a number of sites of unusual distinction, notably the Russian Orthodox and Roman Catholic religious establishments. A number of additional isolated properties appear on the Alaska Heritage Resource Survey. A large proportion of this area is nevertheless too non-descript or scattered to compose an historic district of the necessary integrity. The most significant properties already appear in the National Register and are therefore adequately protected. The remaining significant properties and groups of buildings deserve immediate attention as individual sites or groups of buildings, especially the smaller residential structures. Finally, it was felt that the area as a whole had too little density of landmark properties to be included in the district and indeed would detract from the downtown district's ability to meet historic district criteria of density and integrity if included. Since this area is an important land resource for downtown expansion and can be developed with architecturally compatible buildings, it was concluded that this area should not be included in the district.

Farther north along the hill between downtown Juneau and Evergreen Bowl, as well as to the east, there is an important residential neighborhood having several recognized landmarks together with a network of streets and views which is a significant urban resource for the city of Juneau. It is recommended that thought be given to establishing a landmark district for the majority of this district in the near future.

The governmental area, with the exception of the State Capitol, lacks the consistency and architectural harmony it would require to be included in the historic district. The same may be said for the area to the west of the district boundaries recommended here.

It should be especially noted that the recommended district boundaries shown on the accompanying map are drawn to include both sides of perimeter streets. The intended purpose of this boundary is to assure that development adjacent to the district is both encouraged to happen and to conform with essential standards for the district. These standards are detailed in the recommended guidelines later in this study. In keeping with concern for commercial as well as historic integrity, the preservation of retail frontages on both sides of these streets is important. Moreover, new construction will be encouraged to further enclose the downtown streets whose integrity has become broken by vacant lots or insensitive development.

Rationale for the District

In establishing the boundaries recommended here, thought was given equally to the historic integrity, commercial function and administrative complexities of the district.

The historic integrity of the proposed district is not only visually apparent, it can be documented through early maps and assessor's records. There are thirty-four buildings in this district, nearly all of which were built before 1920, and the majority of these were in place before 1904. Individual buildings within the Juneau downtown core were assessed in a visual survey contained in the appendix to this study, which led to the choice of boundaries recommended here.

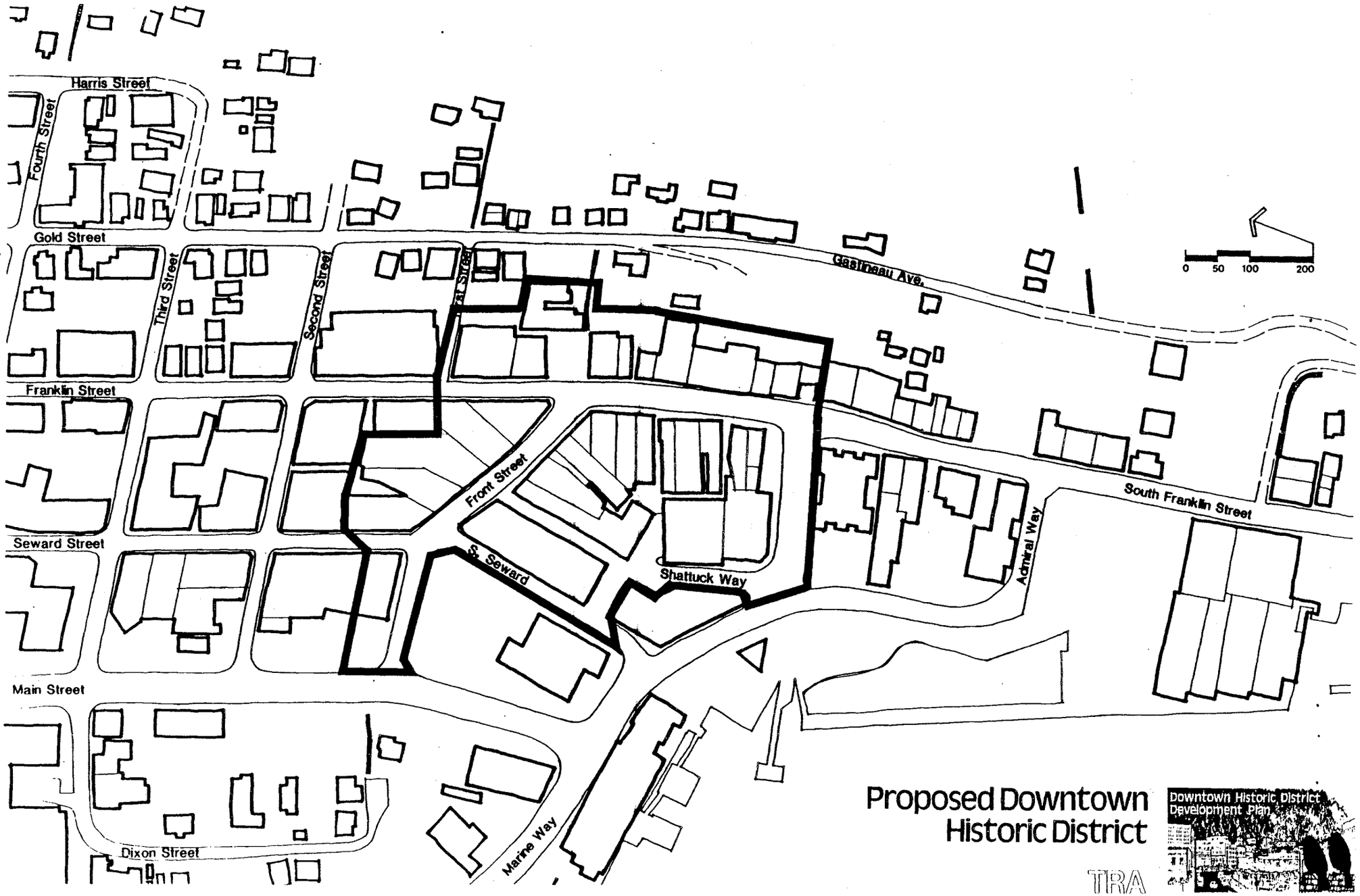
The proposed district represents the greater portion of the original Juneau settlement, and due in part to the fact that the downtown suffered no major fire, these buildings remain a compact assembly of pioneer structures which still house the principal retail functions of Juneau. The continuous architecture of the street frontages and the street pattern itself reflect the pedestrian origins of Juneau's growth, along the natural shoreline that today has remained the Front and Franklin Street alignments. The resulting street pattern is excellent from an urban design standpoint, providing a feeling of enclosure to the district through its curving streets and in the uphill street grades which lead outward from the original beachhead. This characteristic enclosure of Juneau's narrow streets in part recalls - and in part provides psychological relief from - the overwhelming presence of the steep hillsides and the water that hem the city in.

The pioneer buildings that line these streets are uniformly modest in scale and exemplify the vernacular, post-Victorian style of the day, as well as the limited materials and technology available to the rapidly growing town. The narrow and irregular building sites are clear reminders of the crowded beach front community, and both the modest means and great hopes of merchants and entrepreneurs who ventured onto the frontier in those times. Later remodeling has obscured or removed some of the architectural interest of the original buildings, although their structure has changed very little. Street regrading and random filling have claimed most of the former tideflats on the water side of Franklin and Front Streets, although most of the buildings there retain their original wood piling foundations. Thus the antiquity of the proposed district is everywhere apparent, despite various alterations over the years, and there is a consistency to its architecture and scale that lends a distinct identity to the district within the remainder of the downtown area.

From Ferry Way to Front Street, the buildings to the west are generally one or two stories high, while the eastern (or hill) side has many three and four story buildings. Most of the buildings along the district streets are of wood frame and glazed with a regular pattern of large double hung windows of standard sizes. The street floors are uniformly occupied by retail and commercial uses, and continuously sheltered with sidewalk canopies against the weather. Although not original to the buildings, marquees have an undoubted practical value and contribute a strong architectural consistency to the streets which is most important to their pedestrian ambience.

The recommended size for the downtown district is intended to make the most of the unity and compactness of its historic buildings. Because these buildings are the traditional downtown center of Juneau, there are sound economic reasons to make them the focus of a determined landmarks program in Juneau. Their compactness promises that any rehabilitation efforts will have a concentrated effect on public perception and on the success of the retail uses in those buildings. The same holds true for the effects of public improvements within the district, which can have a prominent impact with lower costs. And finally, because these are commercial buildings as distinct from residences, the success of the district will in part be an economic one that will allow many of the district's profits to be reinvested in building improvements.

The consultants have recommended that the downtown district be just the first step in a broad landmarks program throughout Juneau, which could well involve an additional landmark district in the residential neighborhood, the designation of numerous individual landmarks and the possible expansion of the downtown district which is recommended here. Nevertheless, a potent landmarks preservation program is a complex responsibility for a municipal government, and the care of thirty-four buildings in the recommended district will consume considerable time and thought. As succeeding sections of this report will show, there are complexities in legislation and choices to be made among incentives that should fully occupy Juneau's attention for the next few years. Once Juneau has made its mark in the downtown district, there are ample opportunities to use its preservation skills outside the downtown in areas that richly merit preservation.



Proposed Downtown Historic District

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Recommendations for Action

Recommendations for Action

The following sequence of actions is a summary of recommendations that have been made in various sections of the Downtown Juneau Historic District Development Plan. Although the sequence listed may be altered to a degree, it is important to recognize that certification of the district, the Juneau Landmarks Ordinance and the construction guidelines is a necessary first step before benefits and public funding can be obtained. The simultaneous efforts of both the public and private sectors is considered to be absolutely necessary to achieve the best results. A brief comment is included for each step.

The Landmarks Program

Establish the Juneau Landmarks Program, which includes the following steps:

A. Adopt a Landmarks Ordinance (see Section V).

B. Designate the downtown Historic District.

C. Establish the Juneau Landmarks Commission.

D. Commence documentation of District buildings.

E. Apply for District listing on Alaska and National Registers.

F. Adopt construction guidelines for the District (see Section VI).

G. Amend zoning and building ordinances (see Sections V & VII).

H. Provide staff assistance for District manager (see Section VII).

Comment: District preservation presupposes an enabling legislative program. The Commission's first responsibilities should be to supervise documentation for National Register certification (in order to obtain the tax and grant benefits from State and federal governments) and to develop construction guidelines for the District at the earliest possible date.

Private Improvements and Initiatives

A. Organize a development association of local merchants, property owners, business people, city officials and civic groups.

B. Familiarize the association with the District regulations and benefits, especially in the context of the National Trust's 'Main Street Program' (see Appendix D).

C. Employ the District Manager, preferably an experienced business person, active or retired, with management and organizational skills.

D. Commence a paint-up, fix-up program.

E. Begin promoting the District through advertising and special events.

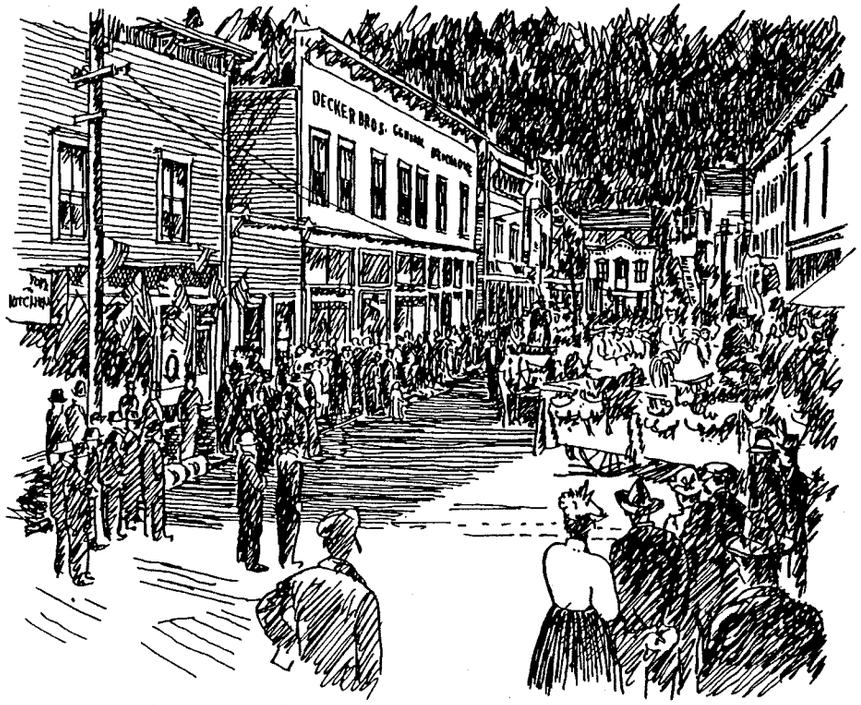
F. Begin recruiting a desirable mix of stores, services and professionals into the District.

G. Continuously promote the adoption of government incentives and public improvements for preservation (see Section VII).

H. Initiate an informational plaque program.

I. Review walking tour itinerary in terms of plaque program.

J. Seek public gifts for art and District improvements.



Fourth of July, Front Street, 1898

Comment: Private commitment and concerted private action is preservation's best hope. The National Trust's 'Main Street Program' is one of the better ways to comprehend the need for consensus and for a precise agenda for business improvements. The District Manager (or project manager) is seen to be the necessary full-time coordinator for this agenda, and it is felt that a capable and experienced business person will best gain the business community's confidence so long as the Manager is firmly committed to preservation. Once again, it should be stressed that the best Juneau image is that of Juneau at work, not the image of a vanished past, as Colonial Williamsburg does. Downtown consensus and private improvements should come together around this principle.

Public Programs and Improvements

A. Develop private incentive programs (see Section VII), including, but not necessarily limited to,

1. Structural repair loan program.
2. Standards for local tax relief.
3. Standards for preservation easements.
4. Standards for development rights transfers.

B. Initiate Public Development programs (see Section VII), including, but not necessarily limited to,

1. Parking development; locate and build garages.
2. Housing support program; zoning and financial incentives.
3. Develop mini-park at Front and South Franklin.
4. Improve the City Hall open space (Shattuck Way).
5. Soil stabilization along Gastineau Avenue.
6. Sidewalk replacement program.
7. Improve street cleanup and maintenance.
8. Street lighting.
9. Utility wire re-organization or undergrounding.
10. Front Street pedestrian mall, trial demonstration project.

Comment: A number of these programs relate exclusively to preservation and should be phased in to respond to the need and cooperation of the private sector. Other programs - for example, parking, housing, soil stabilization, and even utility modifications - the City/Borough should consider on behalf of downtown, whether or not it is an historic district.

Preservation Legislation

Recommendations for Preservation Legislation

It was mentioned earlier in this report that some legislative actions are appropriate to assist preservation initiatives in Juneau generally and specifically to assist the downtown historic district. Legislation relating to funding programs and capital improvements is specific to whichever programs are chosen and will be discussed in connection with benefits and incentives later in this Study. But two areas in particular relate to Juneau's use of its police powers in the area of historic preservation and zoning, and these will be discussed here.

Three proposals will be made, the first being to create an historic preservation program in the City and Borough of Juneau through adoption of a Juneau Landmarks Preservation Ordinance. An outline for such an Ordinance, together with a discussion of its significant parts, is presented first.

The second proposal is to make appropriate amendments to the Juneau Zoning Ordinance to assure that the Ordinance does not conflict with historic district guidelines in the downtown district. This proposal is more detailed and follows logically from the discussion of the Landmarks Ordinance.

Juneau Landmarks Preservation Ordinance

Juneau has an inviting opportunity with its downtown historic district to create a legislative and administrative system that guarantees uniform treatment to all owners of landmark property, present and future. This Study has found significant justification to designate additional landmark sites - possibly an additional district - outside the area contained in downtown Juneau. It is important, therefore, to anticipate Juneau's future efforts to preserve historic properties and to draw legislation that will be seen to be fair and systematic in its manner of designating and administering historic sites.

Landmarks preservation ordinances have two identifiable procedures: the first procedure officially designates the landmark, the second protects it. Essentially, the first is a legislative action, the second an administrative one. Landmarks ordinances therefore commonly state a legislative purpose, define and limit the roles of various parties, establish procedures for designation of properties and procedures for the administration of landmarks, generally in that order.

The procedural steps in the Landmarks Ordinance are a matter for special tailoring by Juneau's Assembly and Attorney. The consultants will attempt here to provide a complete procedural outline of a model landmarks ordinance. No recommendation can properly be made to adopt the outline as is or to delete certain portions. Juneau knows Juneau best, and it may well be that Juneau will decide to describe the actors' powers differently than they are described above. If that should be done, what follows below will obviously change. Every effort is made in this outline, however, to hold special staffing to a minimum, and to hold the time for decision-making within reasonable bounds.

With these concerns in mind, what follows is a proposal for a Juneau Landmarks Ordinance, in outline form only, that addresses the principal items that landmarks legislation should include.

Contents of the Ordinance

I. Legislative Purpose and Declaration of Policy

II. Definitions of Terms and Parties

III. Juneau Landmarks Commission

1) Membership, Terms of Office
2) Duties and Responsibilities
3) Staffing

IV. Designation of Properties

A. Criteria for Designation

B. Nomination Procedure

C. Designation Procedure

D. Controls on Property

E. Benefits

F. Assembly Action; Ordinance of Designation; District Classifications of Significance

V. Modifications to Designated Properties

A. Guidelines for Modifications to Properties

B. Building Permit Procedure

Discussion of the Landmarks Ordinance

Because the actual drafting of the Landmarks Ordinance is a matter for deliberation between the Juneau Assembly and City Attorney, the sections which follow are more discursive than prescriptive. They are based on experience with government preservation programs elsewhere in the country and, to a more limited degree, with the current state of preservation law. Two ordinances now in force in the Seattle area are reproduced in the Appendix as an illustration of different approaches to landmark control. The purpose of what follows here is to recommend principles to be followed both in drafting a Juneau Landmarks Ordinance and in administering a preservation program. In the order of the Contents of the Ordinance, the following comments are important.

I. Legislative Purpose

Generally speaking, this section establishes the justification for initiating a landmarks program under the police power, showing in what way the public welfare is to be served. As it relates to preservation

in Juneau, the following purposes of the Ordinance should be articulated:

1) The purposes of this ordinance are (1) to designate, preserve, protect, enhance and perpetuate those sites, improvements and objects which reflect significant elements of Juneau's cultural, aesthetic, social, economic, political, architectural, engineering, historic or other heritage, consistent with the established long-term goals and policies of Juneau; (2) to foster civic pride in the beauty and accomplishments of the past; (3) to stabilize or improve the aesthetic and economic vitality and values of such sites, improvements and objects; (4) to protect and enhance Juneau's attraction to tourists and visitors; (5) to promote the use of outstanding sites, improvements and objects for the education, stimulation and welfare of the people of Juneau; and (6) to promote and encourage continued private ownership and use of such sites, improvements and objects now so owned and used, to the extent that the objectives listed above can be attained under such a policy.

II. Definitions

In this section, all agencies, parties and terms used in the Ordinance are listed and defined, together with the authority or standing of the parties listed.

III. Juneau Landmarks Commission

This recommendation contemplates an appointed Commission, having a blend of interests and expertise and charged to advise the Assembly on landmark designations and to review proposed modifications to landmarks. Normally, such Commissions reserve a position for an historian, an architect or engineer, a property owner and a person with expertise in real estate. Additional at-large positions are also reserved. All positions serve staggered terms of office. This section, then, creates the Commission; stipulates its membership and terms of office; defines its powers and responsibilities; and may also establish the staffing level for the Commission.

The question of staffing for the Commission can become a vexing one, if for no other reason than that government programs usually spend just as much money as they are given. Possibly a majority of cities have begun their preservation programs with a city preservation officer and an administrative staff, while other cities have successfully relied on enthusiastic volunteers and a minimum of city funded staff. Each has its advantages, and it is useful to mention what they are.

The volunteer system (volunteers include the Commission itself) places great reliance on the public to generate enthusiasm for preservation. It is also reassuring to private owners, who may be uncertain of the effects of designation, that the people who are making preservation decisions are recognizably citizens like themselves. In the early stages of a preservation program it is extremely important to involve volunteers and the public in this way, while the general tone of an historic preservation program is being established. As the program becomes established, however, the work to be done becomes more routine and it is not uncommon to find volunteer enthusiasm waning somewhat, so that the volunteer principle should not be relied on as a perpetual solution.

A strong staff, on the other hand, offers more continuity to a program and can readily accept the routine that historic preservation becomes. If there is little public understanding or an initial lack of volunteer energy, a good staff can be invaluable in generating enthusiasm. Most important, probably, is that preservation sooner or later demands some technical skills, either in a knowledge of historic styles and archeology, or in the procedures of dealing with National Register applications and government programs. It is best to accumulate these skills in a continuous staff rather than a succession of volunteers serving staggered terms of office.

On balance, it is recommended that the Juneau Ordinance provide initially for a strong Commission and a part time City staff, in the hope that a strong public support system can be established. As need demands, the staff may be increased later, but it often happens that a dominant staff can have a chilling effect on volunteers and it would be best at the beginning to avoid any such risks.

IV. Designation of Properties

A. Criteria for Designation

The Juneau Landmarks Ordinance must make clear what its standards are for declaring districts or properties to be historic landmarks. In part, of course, these standards are for the guidance of Juneau decision makers asked to determine the future of a Juneau property and to assure that each such property is considered on the same basis as every other property.

There is a more compelling reason, however, to choose demanding standards and that is the need to qualify Juneau landmarks for recognition by the National Register of Historic Places. Because inclusion on the Register is a prerequisite for federal tax incentives and for grants-in-aid, it is important to the success

of Juneau's preservation program to qualify its private property owners for these financial benefits in every way it can. For that reason, the consultants recommend the literal inclusion of the National Register Criteria for Evaluation of Historic Landmarks as the governing criteria of the Juneau Landmarks Ordinance.

The National Register Criteria are as follows:

'The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
B. that are associated with the lives of persons significant in our past; or
C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
D. that have yielded, or may be likely to yield, information important in prehistory or history.

'Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
G. a property achieving significance within the past 50 years if it is of exceptional importance.'

B. Nomination Procedure

Nomination is the first of several procedural steps leading to an ordinance which formally designates a property as an historic landmark. Because designation is a government action affecting real property, as zoning does, the procedures are somewhat demanding. At the very least, they should include notice to parties, an opportunity to comment in person or in writing, a public meeting and a decision with written findings which support the decision. The purpose for separate decision on nomination is to limit the initial determination strictly to whether or not a proposed designation meets the landmarks Criteria, and if so, whether to proceed with formal designation. If a property is considered eligible at the nomination level, more detailed investigation and proposals for controls over all or portions of the property can then begin. In effect the nomination procedure is a first screening to establish whether or not further work and hearings are justified.

C. Designation Procedure

If a property is accepted for nomination, the designation process automatically begins. Normally, this process includes a detailed justification for designation, involving some research and analysis of a property's landmark qualities. Ideally, this justification is in the form of a written report, written or approved by the Commission and available to all parties a reasonable time before a public hearing. In an attempt to speed the process, this recommendation adds that there also be a draft ordinance of designation drawn, which cites the property's landmark merits and lists what specific controls are appropriate on future modifications or demolition. As in the nomination process, designation procedures require public notice, a public

hearing and a decision that includes formal findings on landmark merit, sets out the appropriate controls and any appropriate incentives that would assist an owner to comply with the controls.

It occasionally happens that the issue of economic hardship is raised at this point in the process, the assertion being that a property is devalued to some degree by being designated a landmark. This can become an involved question and takes considerable time in argument at this stage of designation. The argument itself conceivably has some merit; however it is virtually impossible to assess the kind or degree of a hypothetical hardship at this point in a preservation project, and for that reason the question of economic effects is put off to a full investigation at the time a building is proposed to be modified or demolished. It is important to recognize this distinction in the face of economic arguments. The Juneau Ordinance proposed here ideally creates two distinct procedures, the first being to discover whether a site has landmark qualities, and if so, to designate the property a landmark and impose the most general kind of controls. The second procedure commences when an owner proposes to modify a landmark in some way, at which point the extent to which preservation guidelines are an economic problem can be measured and resolved. It is important when that time comes, to remember that the City/Borough can do much to preserve a building and still relieve a proven hardship. Loans, subsidies, public works, zoning concessions and the like all contribute to making a landmark more productive economically than the building would be if it were not a landmark.

Controls and economic benefits are separately discussed below. From that discussion it should be evident that the designation procedure should result in an ordinance that clearly specifies that controls will be applied and that the owner is simultaneously made eligible for economic benefits.

D. Controls on Designated Properties

The Alaska Historic Preservation Act provides that the Governor may designate and control an historic site only with the consent of the owner, when such a site is in private ownership. Quite recently, this also became the law governing the U.S. Department of Interior's National Register of Historic Sites. This has created the paradoxical situation that Alaska and the federal government may recognize a property to be deserving of preservation but have little ability themselves to prevent its destruction or damage from inappropriate alterations.

In the case of a local jurisdiction such as Juneau, however, there is no apparent reason that a Landmarks Ordinance may not empower a city or borough to designate landmarks without an owner's consent, and, within reasonable bounds, to establish controls on what may be done with those properties. Indeed, Alaska law specifically creates the power in local governments to regulate properties '. . . to provide for the preservation, maintenance and protection of historic sites, buildings and monuments' (Sec. 29.48.035(a)14, Alaska Statutes). Moreoever, it may reasonably be held that State and federal laws are consciously intended to reserve this kind of power for local jurisdictions, they being the most familiar with their needs and having the responsibility of local enforcement.

This recommendation relies on the view that Juneau has the undisputed authority to designate and control properties as it sees appropriate. Having done so, the only significant questions that remain are whether a property was truly historic and whether the controls are reasonable. The first question must have been satisfactorily answered through the nomination and designation procedures. The controls themselves are seen to be reasonable if they preserve a reasonable economic use to the owner and if they are fairly and evenly applied to all landmark properties.

Accordingly, it is recommended here that certain controls be clearly set forth in the Juneau Landmarks Ordinance that apply generally to all landmark properties, but reserving the ability to make these controls more specific to an individual property in the ordinance which designated that property, or made more specific for special landmark districts by administrative rule. In order to make these controls clear and broadly applicable, it would be proper to state them in the Ordinance and to use the standards of the U.S. Secretary of Interior for preservation projects. The reasons to use the Secretary's standards are that they are well tested, they are general rather than specific and they are widely recognized. The reasons to include them in the Juneau Ordinance, rather than leave them to be derived on a case by case basis, are equally compelling and should be listed.

First, the Juneau Landmarks Ordinance must set high standards for construction on its landmark sites in order to qualify for certification by the State of Alaska and the federal government. The ultimate judge of Juneau's ability to protect its landmarks will be the Secretary of Interior through the Heritage and Conservation Service, which certifies the eligibility of properties for the National Register and which monitors changes and improvements to Register properties. Improper care for those properties threatens

their eligibility for federal tax benefits and for grants-in-aid. In the case of an historic district, a city's inability to protect the integrity of such districts might result in a lowered priority for all the properties in the district for preservation grants. It can fairly be said that the State of Alaska will apply the same standards in administering its own preservation incentive programs.

Second, by stating its standards, Juneau makes visible to property owners what controls Juneau intends to negotiate. Predictability is felt to be important to good faith negotiations on government's part and to earn the necessary support of the private sector. Among other advantages, the controls listed in the Ordinance represent the maximum the government will require as well as some of the minimum conditions an owner must meet if he is to become eligible for benefits.

Third, the Ordinance is the place to make clear to future administrators what their preservation powers and responsibilities are, and to forestall arbitrary or capricious actions either by government agencies negotiating controls or agencies conferring special benefits on historic properties. Uniform treatment of all property owners should be a major purpose of the Ordinance, which these proposed controls are meant to guarantee.

Fourth, the list of controls makes it clear what matters are important to the district as a whole (e.g., canopies and setbacks) as distinct from those that are specific to a particular building in a district (e.g., color and materials). The overall effect of district controls is usually more important to a district than occasional errors or exceptions by single buildings, so it is important to the long life of a district that the Ordinance make the distinction between serious and minor offenses against historic preservation.

For these reasons, it is advisable that Juneau adopt, as an integral part of its Landmarks Ordinance, the Secretary of Interior's Standards for Historic Preservation Projects. The Secretary's Standards, as usually published, are in three parts, composed of General Standards, Specific Standards and Guidelines for Applying the Standards.

The consultants recommend that the Juneau Landmarks Ordinance reproduce only the Secretary's General Standards, which for convenience are listed below. However, it is important to remember that the Department of Interior and its agent, the Alaska State Historic Preservation Officer, will judge projects on a more detailed set of standards for which Juneau is somewhat responsible. Therefore, it is an essential part of this recommendation that the Juneau Ordinance also establish a requirement that within one year of passage of the Ordinance the City and Borough staff, together with the Historical Commission formulate written standards for alterations and new construction on landmark properties. These can be promulgated by administrative rule. The standards can and should take special account of unique features of Juneau's historical style and location, but it is important that, once written, these Juneau standards be forwarded to the Alaska State Preservation Office for comment and certification as being in conformance with the Secretary of Interior's Standards for Historic Preservation Projects. Suggestions for these standards are given in more detail later in this study.

The Secretary of the Interior's General Standards for Historic Preservation Projects are as follows:

'The following general standards apply to all treatments undertaken on historic properties listed in the National Register (amend to say 'properties designated a Juneau Landmark Sites').

1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.

2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.'

E. Benefits and Incentives

In the discussion thus far, two general principles have emerged regarding benefits to landmark owners. The first is that governments have the power and the interest to be supportive to historic preservation, which shows in existing tax and grant programs as well as in express authority to create new preservation incentives at the local government level. A local government which undertakes a preservation program wants that program to succeed. Incentives to owners are necessary to guarantee that success as well as necessary to demonstrate that the government is prepared to award the owner some benefit in exchange for a greater degree of control over his property.

The second principle is that a landmark owner is in fact substantially benefited by owning a landmark property, which in turn justifies the public's interest in how that property is treated. There are strong inducements for an owner of a landmark property to consent to designation and to special controls on his property, especially when that owner has property in an historic district. It is worthwhile to list just a few of these inducements, since the recommendations here rely on owners seeing the advantages to voluntary compliance with special controls. Some of these are:

Eligibility for federal tax incentives. The Investment Tax Credit (ITC) for certified historic structures is 25%, a substantial incentive. Money spent to rehabilitate such buildings, however, must be spent on rehabilitation that is certified by the Department of Interior to be appropriate to the building. This, in effect, represents an owner's concurrence that there are controls on the building and bears the further implication that the building will not be demolished.

Eligiblity for federal and State preservation grants-in-aid. These programs, too, are founded on an owner's readiness to follow Department of Interior guidelines and require certification by the Department for any portion of the grant employing federal funds. State programs, such as the Historical District Revolving Loan Funds, are available only with the prior approval of a local authority and the State's Historic Sites Advisory Committee. Both of these presumably act with clear guidelines and the intention to protect historic properties, which in turn involves an owner in an agreement to accept some degree of restriction.

Local relief from taxes on real property. This power is possibly most supportive of preservation and, equally possibly, the most reliable source of funding for individual property owners. The local authority, in exchange for relief, can impose any long or short term conditions it may feel appropriate to achieve preservation. The success of any such program obviously relies on the ability to balance benefits to the public against benefits to the property owner, both in what controls are imposed and the degree and term of tax relief.

Locally funded loans and improvements. Once again, the local authority (in this case the City and Borough of Juneau) can award priority for right-of-way improvements and parks in exchange for some guarantee that a building will be preserved or that several buildings in a district will accept controls when they are benefited by the improvement. The same holds true for locally administered loan funds, including revolving loan funds, which can and should be conditioned on a willingness to meet preservation standards.

Local relief from Building Code restrictions. As empowered by State law, Juneau is able to grant substantial relief from building regulations that otherwise might force very expensive alterations to a building or in a worst case, compel the outright closure of a building. Here as elsewhere, the local government may define the purpose of such relief as serving a preservation objective; and go on to define what is acceptable preservation and what is not; all consistent with State law.

From these few examples, it should be apparent that Juneau has considerable ability to persuade the owner of a designated building that controls are reasonable, necessary and beneficial to the owner. As it affects the designation process itself, it is important that the Juneau Landmarks Ordinance state that the owner of a designated property is eligible for appropriate incentives and benefits as a consideration for preservation controls. What is appropriate may vary from site to site, depending on the relative significance of a specific site, the degree of control imposed or the property's actual importance to an historic district. The variety of incentives available to landmark owners is considerable and can be added to substantially at the City/Borough's discretion. Since incentives and benefits will be discussed later in more detail, they will not be related here. But it is important to note that some benefits automatically flow to designated properties and others are optional, so that the actual incentive listed for a particular property can be tailored to the needs of the property in individual cases or directed toward the more significant properties within a district. In a district, the properties that contribute least to its historic integrity undoubtedly derive some benefits from public works, for example, but may not be made eligible for preservation loans or tax relief. In such cases, it is clearly appropriate to impose less stringent controls, and this should be reflected in the actual ordinance of designation itself as well as the construction guidelines.

F. Ordinance of Designation

The designation of individual sites and of historic districts is a matter for local ordinance in each case. The designation procedures up until this point have been designed to preserve the Juneau Assembly from long and complex deliberations at the time each draft ordinance comes before the Assembly. For example, the Assembly is free to take the expert recommendation of the Commission and staff regarding the significance of a property. By the way it chooses to write the Landmarks Ordinance itself, the Assembly may also decline to consider economic argument until such time as a building permit is requested, which is the recommendation here. On the other hand, the Assembly may wish to take a personal hand in awarding incentives or limiting the controls, either of which may be made appealable to the Assembly for expanded argument.

To recapitulate, the Juneau Landmarks Ordinance should specify an ordinance of designation that includes the following elements:

A. Authority (Juneau Landmarks Ordinance)

B. Criteria of Designation met by this property

C. Classification of Properties in an Historic District as 1) Significant 2) Contributing in specified ways 3) Non-contributing

D. Portions of property to be protected

E. General standards to be applied (Juneau Landmarks Ordinance)

F. Special controls to be applied (if any)

G. Eligibility for benefits (affirmed)

H. Special incentives granted (if any)

I. Requirement to meet guidelines for building permits (v. Section V which follows)

V. Modifications to Designated Properties

It has already been stated that designated properties may be subjected to a wide range of controls based on their relative importance and the available incentives the local government is prepared to provide. To give some idea of the range available, it is worth considering these illustrations:

Limited benefits with limited controls. This is appropriate when a property lies within an historic district whose ordinance identifies the property as 'not significantly contributing to the District'. In such a case, the property benefits to some degree from public improvements undertaken on behalf of the district, from the prestige of being in the district, and conceivably from eligibility for special programs such as the Alaska Historical District Revolving Fund. However, and depending on the Juneau ordinance of designation, the property may not be eligible for special loans or tax relief on the basis of landmark merit. Juneau's concern, therefore, is less for preservation of the property than for the appropriateness of what takes its place, which is to say that guidelines for new construction are more important than guidelines for remodeling or restoration, and the designating ordinance should make this clear.

Designation without controls. This is rarely appropriate, if ever, for individual sites, since designation itself affirms the importance of the property and confers tangible benefits such as

tax incentives, while the public gains no guarantee of protection in return. All the same, designation without control is possible and occasionally has been used, presumably on the assumption that the designated property will acquire benefits only from State and federal governments, whose own guidelines afford some limited protections, which is better than nothing. It seems appropriate, however, that no local benefits or incentives be awarded without attaching a reasonable local power to control the property.

Controls on portions of the property only. It is theoretically possible that only a portion of a property is designated; for example, a facade, or a doorway, or stair, or fixture (a tavern's bar front, perhaps). Obviously in such cases, financial incentives would establish a public interest primarily in those items. Any controls might be limited even further by allowing such items to be removed and relocated subject to the City/Borough's approval, or by making demolition approval subject to the City/Borough's right of first refusal either to purchase the property itself (a facade easement, perhaps) or arrange for a purchase and removal by an approved buyer (a museum, possibly).

Special controls, over and above standard guidelines. In such a case, Juneau might require that within a certain time, missing historic elements be replaced on a property. Or Juneau might require that a building whose upper floors have been converted from housing to offices be returned to residential use. Either requirement should be considered extraordinary, and should therefore be conditioned on the offer of special incentives from the City/Borough, such as restoration loans or housing subsidies.

Any of the above examples should reflect Juneau's ability to tailor a designation to the special needs of a property and to Juneau's particular objectives in designating a property. At the same time, these examples should be viewed as extraordinary when they occur; for the most part, a successful landmarks program relies on having uniform guidelines and on applying them equally.

With that rule in mind, the Juneau Landmarks Ordinance should require that landmarks may receive building permits to modify or demolish properties only in conformance with specific guidelines. The Ordinance should then specify how these guidelines are to be arrived at, who is to write the guidelines and who is to enforce them. Having provided for this, the Juneau Ordinance need only to require in an ordinance of designation that these guidelines apply to a designated property and allow that objections to guidelines are appealable on certain grounds. The recommendation which follows assumes that this is the case.

A. Guidelines for Modifications to Properties.

The consultants have developed a sample set of guidelines which they recommend be considered by the City/Borough. These guidelines are a separate section of this study, where it is proposed they be adopted by administrative rule, subject to confirmation by the Assembly.

B. Building Permit Procedure.

Normally, the procedure used by most landmarks programs is a very formal and time consuming one. That procedure requires that every proposed change to a landmark first be reviewed by the landmarks authority (a board or commission) which awards or denies a 'certificate of approval' before the building department is free to issue a building permit. This obviously involves the authority in every proposal, no matter how modest, and requires several referrals back and forth between the authority and the building department. This procedure has the advantage of being meticulous and thorough. However, it does not guarantee that all decisions will be good decisions, it clearly occupies a large number of people in decision making and does not take into account that the time involved in this procedure can become a serious financial burden for someone who, with the best intentions in the world, only wants to improve his property if he can only discover what the rules are.

Knowing that these have been problems in the past, this recommendation departs somewhat from the normal procedure. It assumes that the construction guidelines can be made simple and clear enough that any developer and any building official can understand them and apply them. If that premise succeeds, then the Juneau building department can itself apply the guidelines and the Commission need be involved only when the building department seeks its advice or when the owner (or the public, if allowed) appeals a building department decision to the Commission. Given the possibility that owners may argue an economic hardship and that further economic incentives may be justified, an appeal to the Assembly is also provided.

The approach recommended here is admittedly experimental and assumes that the State and federal preservation agencies will find the Juneau procedure acceptable for certification. This recommendation is nevertheless intended to be as effective as it is expeditious, and is actively being considered by other cities who have found their programs losing support because of the burdensome regulation they require.
The recommended procedure is best described by the outline which appears below, entitled 'Procedures for Building Permit Approvals'.

Procedural Steps of the Landmarks Ordinance

In summation, it will be useful to recapitulate the steps in the Juneau Landmarks Ordinance that have been recommended above. The outline which follows describes those steps in order and relates them to an ideal time line. Although the particular language of the Juneau Ordinance may omit or change the steps and the time line, it is important to draft the ordinance with an eye to time as well as to preservation objectives. The outline which follows, in the consultants' view, is fair, effective and reasonable.

Procedures for Designation

Day (1.)	Action	Action by	Content of Action
1	Nomination	Owner, Government or Private Party	Application to show conformance to Criteria.
10	Staff Report	Commission members or City/ Borough staff (2)	Verify conformance to Criteria; suggest special controls, if any; specify moratorium on alterations during designation process (3).
26	Nomination Hearing (4)	Historical Commission	
	a) Accept Nomination	(Commission Motion)	a) state conformance to Criteria; recommend special controls, if appropriate; confirm moratorium on alterations; order draft ordinance from staff.
	b) Reject Nomination	(Commission Motion)	b) state failure to conform to Criteria.
(40)	Appeal of Rejection of Nomination (optional)	Interested Parties	State specific objections to Commission findings; request Assembly to reinstate moratorium; review and reverse Commission action.
41	Notice of Hearing on Designation	City/Borough Staff	Publication and posting; property description; prpposed action; date, time and place of hearing.
61	Draft Ordinance available to Public; also Commission Report, if appropriate	Commission or City/ Borough Staff	Ordinance stating Criteria met and proposed special controls, if any. (Ordinance to be standard format.)
71	Hearing on Designation (4)	Historical Commission	
	a) Designation Recommended	(Commission Motion)	a) Adopt draft ordinance of Designation, amended as appropriate. Forward recommendation to Assembly with findings based on the hearing record.
	b) Recommend against Designation	(Commission Motion)	b) Dissolve moratorium pending appeal (15 days); state reasons from hearing record for denial, make findings
86	Appeal of Commission Action	Interested Parties	State specific objections to Commission findings in the record; request Assembly review hearing record, reverse Commission. (Moratorium automatically extended.)
(87)	Notice of Assembly Hearing	City/Borough Staff	Publication and posting; property description; proposed action; date, time and place of hearing.

Juneau Landmarks Ordinance - Procedures for Designation

Day (I.)	Action	Action by	Content of Action
107	Record available for inspection by parties and public	Commission and City/ Borough Staff	Final Ordinance Draft, Commission findings and conclusions, written communications, etc.
(117)	Assembly Hearing (4)	City/Borough Assembly	Hearing confined to items in written appeal or on the record.
	a) Adopt Commission Recommendation	(Assembly, first reading)	a) Includes 'Deny Designation'. Order final legislation for designated properties. (5)
	b) Modify Commission Recommendation	(Assembly, first reading)	b) Review record; take limited testimony on appeal (no matters de novo); make contrary findings or conclusions. (5)
	c) Remand to Commission	(Assembly first reading)	c) Order Commission to correct or complete the record. (5)
	d) Reverse Commission Recommendation	(Assembly first reading)	d) State contrary findings or conclusions to support reversal on the record. Dissolve moratorium. (5)
(134)	Ordinance issues	Assembly; legal staff	Standard format; added controls and incentives where appropriate.

NOTES:

1. Time limits shown here are recommended. Procedural steps should be governed by fixed time limits wherever possible. Actions by the Juneau Assembly are considered exempt from time limits and accordingly are shown in brackets: (Day 117, etc.).
2. 'Staff' refers to Commission members, City/Borough employees or special consultants, whichever are determined to have the appropriate expertise.
3. The permit moratorium referred to here is optional but desirable and is intended to protect properties from demolition or inappropriate alteration while possible landmark status is being deliberated. The moratorium may be inclusive or it may be limited to only certain significant features of a given building.
4. Continuances of hearings in these procedures can be governed by administrative rule, allowing the hearing body or agreed parties of interest to continue a hearing.
5. The Assembly is counseled not to entertain burdensome de novo hearings but either to remand certain cases to the Historical Commission, or in complex cases to designate a referee or hearing examiner to hear disputes and make findings on the Assembly's behalf.

Procedures for Building Permit Approvals

Day (I.)	Action	Action by	Content of Action
	Application	Owner	(Standard Application for building permit.)
	Staff Review	Building Department	Compare with required controls in Ordinance of Designation.
1	Notice of Intent	Building Department	To issue, to deny or to conditionally issue a building permit. (Notice of publication.)
15	Appeal Filed (if any)	Owner or Party of Interest (including Historical Commission)	State specific objections based on required controls in Designating Ordinance, or citing specific hardship.

Juneau Landmarks Ordinance - Procedures for Building Permit Approvals

Day (I.)	Action	Action by	Content of Action
18	Notice of Commission Hearing on Appeal	Commission or City/ Borough Staff (2)	Notice by publication; property description; proposed action; appellant's name; date, name time and place of hearing.
38	Staff Report Available to parties and public	Building Department	Report of staff review; statement of compliance or non-compliance with required controls in Ordinance of designation; response to appeal, if appropriate.
48	Commission Hearing on Appeal (4) (6)	Historical Commission	
55	Commission Decision on Appeal	Historical Commission	Special impartial and expert economic analysis may be solicited by Commission.
	a) Sustain Building Department Action	(Commission Motion)	a) Issue findings and conclusions.
	b) Reverse Building Department, in whole or part	(Commission Motion)	b) Issue contrary findings and conclusions.
	c) Modify Building Department action in whole or part	(Commission Motion)	c) Issue substitute findings and conclusions.
70	Appeal Filed (if any)	Owner or Party of Interest	State specific objections to actions of Commission.
(71)	Notice of Assembly Hearing on Appeal	City/Borough Staff	Notice by publication and mail to parties of record; property description; proposed action; appellant's name; date, time and place of hearing.
91	Record Available for Inspection by parties and public (6)	Commission and City/ Borough Staff	Building Department action, Commission findings and conclusions, written appeals and all written communications.
(101)	Assembly Hearing on Appeal (5) (6) (7)	City/Borough Assembly	Hearing limited to Parties of Interest and the Commission record.
	a) Sustain Commission action	(Assembly Motion)	a) Includes 'sustain', 'reverse', or 'modify' Building Department action.
	b) Sustain Building Department Action	(Assembly Motion)	b) Issue contrary findings and conclusions.
	c) Modify Commission Actions	(Assembly Motion)	c) Enter substitute findings and conclusions based on the record.
	d) Remand to Commission	(Assembly Motion)	d) Order Commission to correct or complete the record; includes additional analysis by economic analysts.
(108)	Building Permit Issues	Building Department	Incorporates final action by Commission or Assembly on Appeal

NOTES: (Notes 1, 2, 3, 4 & 5 refer to notes under Designation, supra.)

6. It is advisable to obtain legal counsel regarding the advisability of electronic recording of appeal hearings, which legal precedent may require.
7. The appeal to the Assembly is a matter for the Assembly to decide, although it should be stated that this places the Assembly in an essential quasi-judicial administrative process which the Assembly may find both burdensome and inappropriate.

A Word on Economic Arguments

Preservation programs are fated at one time or another to be challenged on the grounds that preserving a property inflicts a financial injury on its owner. Once that assertion is made, matters become very complex; sufficiently so that some cities are tempted not to proceed with preservation, others respond with elaborate ordinances that attempt to anticipate each shading of an economic argument. Neither is a satisfactory - or even necessary response.

The consultants believe that the answer to this problem lies equally in judicial precedent and in the way cities administer their preservation programs. Judicial history is effectively quoted by both sides, as might be expected, and a detailed description of the current state of preservation law is well beyond the scope of this study. Nevertheless, in deliberating on a legislative program to protect landmarks, Juneau government should be aware of the principal features of the argument, especially as it affects the procedural protections that are provided in the ordinance outline just given. The consultants will therefore offer their understanding of current law in support of the procedural recommendations that appear here.

When preservation programs are challenged, the argument revolves about whether an owner is deprived of a reasonable use of his property by landmark controls. This argument turns on the Constitutional prohibition against the 'taking' of a citizen's property without just compensation, and the issue of land use regulation has come to be commonly known as 'the taking issue'.

During the first half of this century it was possible to distinguish between a government's power to regulate land to protect public health and safety (without compensation), and its power to take property in order to create a public benefit (with compensation). That is to say, a government may legitimately use its police powers to protect a large neighborhood of homes from encroachment by glue-factories without having to compensate the property owner who prefers to replace his house with a glue factory. On the other hand, a government may not convert that neighborhood to a highway, a park or even a public housing project without fairly compensating its homeowners for the loss of their properties.

In recent years, however, what once seemed fairly clear has become less clear. On one hand, it seemed established that a government might re-zone property overnight for less profitable development than might have been built the day before, and do so without compensation so long as doing so benefited a broad public interest. But a succession of legal challenges to such things as sign control, environmental protection zones (e.g. shorelines) and historic preservation has had two significant results. The first is that many courts have been persuaded that public regulation may legitimately be extended to accomplish aesthetic and environmental purposes, so long as an owner is left - not the 'highest and best' use of his property - but a reasonable beneficial use of his property. Leading to the second result, which is that arguments now tend to center on whether regulation has gone beyond the bounds of reasonableness, whether it has not become a 'taking', and whether an owner must therefore be compensated for the difference between the beneficial use value of his property and the lower use value that remains after regulation.

The implications for preservation programs should begin to be obvious at this point, however abbreviated this discussion has been. Historic preservation is an acceptable objective of public policy when its purpose is to benefit society at large. However, preservation must account to an owner for preserving some beneficial use of his property. If regulation can be shown to reduce a property's development value below that of beneficial use, then its owner must either be compensated or be relieved of those unreasonable regulations that deny him the beneficial use.

The ordinance procedures outlined above do their best to take into account the legal principles just mentioned. These are some of the ways in which that is done:

Due process. It is assumed that historic preservation ordinances bear some analogies to zoning. It is widely understood that persons whose property is affected by zoning regulation have the right to a fair hearing that meets the standards for quasi-judicial determinations. For this reason, the outline given here provides for public notice and notice to parties of interest; mandates public hearings for the gathering of facts; expects that the bodies who conduct those hearings will actively elicit all the facts which are relevant; and once the facts are in, expects that these bodies will show how the facts justify their decision and meet the requirements of the preservation ordinance. It is properly the province of Juneau's City Attorney, to these consultants, to determine whether due process is required at each step in the procedure and whether due process is satisfied short of sworn testimony, cross examination and formally written findings of fact and conclusions of law. We can only assure Juneau that many successful preservation programs do stop short of these complications.

Economic Considerations. The Juneau ordinance should anticipate having to respond to a variety of very different properties and to owners in a variety of financial conditions. In order to respond constructively to the special state of a building and its owner, it will be necessary

occasionally to look closely into the cost of rehabilitating a building, or at what the theoretical beneficial use of a property might be, and ultimately at the reasonableness in a particular case of enforcing certain guidelines against a property. These questions are endlessly unpredictable in advance, but the proposed procedures anticipate them in two ways: first, a burden is placed on an owner to provide some evidence of any need of hardship he may plead; and second, the Commission and Assembly are free in certain cases to enlist the aid of an impartial consultant with the expertise to review and comment on such arguments.

Flexibility. Once again, the variety of properties and owners in any landmark program requires that the program be flexible in its approach to individual properties. Flexibility does not necessarily mean yielding on architectural guidelines, but it might well mean, for example, that some properties may phase their compliance over longer periods of time, in order to reduce an economic hardship. Flexibility in preservation is an acquired skill and the initial rule should be to use it sparingly, since too much flexibility will threaten to make the entire ordinance unenforceable. The one reliable principle is that flexibility should result in preserving a landmark that rigidity would otherwise destroy. Assuming an owner has satisfactorily demonstrated a financial hardship, what follow are some acceptable examples of a flexible approach to a particular property:

a. Designate only the streetfront portion of a building, allowing the owner to rebuild everything behind it.

b. Purchase a facade easement, guaranteeing that the City and Borough may preserve an important street front, but on condition that the purchase amount be promptly spent to make necessary repairs to the building structure and to the front itself.

c. In a case where the building permit reflects some enforcement action by the government (e.g., a 'repair or vacate' order) and a loan program exists, give an owner special priority for a loan to pay the cost difference between normal repair and any special expenses that are imposed by preservation guidelines.

d. Permit an owner to make repairs that fall short of full compliance with guidelines, so long as the repairs do not depart further from the guidelines than the existing building, and so long as future repairs are understood to require conformance.

Many like examples might be given of flexible enforcement and as Juneau proceeds with preservation there will be many opportunities to respond to special situations with imaginative solutions. But a word of warning is appropriate here, based on these few examples alone. A preference is shown here to avoid the traditional device of giving 'variances' to property owners and to rely instead on gradual compliance with guidelines over time. One reason for this is that the law of zoning variances is well developed and quite strict. Essentially, variance law must ignore an owner's financial hardship and instead focus on unusual and exceptional features of the land or building itself. Presumably, in an historic building, any peculiar conditon of land or building that exists on the day of landmark designation is a matter for the designating ordinance to deal with, not a matter for variance from the ordinance itself; especially if the justification for granting a variance is that owner can't afford to correct the deficiency. More important, once a variance is granted, the variance normally runs with the property as long as the land and property remain essentially unchanged, which means excusing an owner, virtually forever, from complying with a district guideline, despite the possibility that an owner's financial hardship may only be temporary.

There is some further danger that a variance that is too sweeping, or one that seriously compromises the features which qualify the building as historic, may affect a building's ability to qualify for federal tax relief. Such a case, if it should occur, would demonstrate a painful paradox: that an owner might suffer a financial loss by pleading a financial hardship. A policy of phased compliance, on the other hand, is a practical way to avoid this danger.

Lastly, the people who make decisions regarding both variances and their more flexible alternatives should be wary of creating so many exceptions that the district guidelines themselves are placed in jeopardy. It is possible, at least in theory, that so many exceptions are granted throughout a district that the guidelines are virtually unenforceable and, by extension, that the district itself ceases to exist as a legal entity. In order to protect the substantial public subsidies (including tax benefits) and private investments that are foreseen for Juneau's downtown, it would be far preferable to amend the guidelines themselves by legislation than continue to grant exceptions to them by variance. And preferable to either, it would be wise to seek better ways to fund compliance with the guidelines, while keeping the guidelines intact.

It is quite possible that Juneau law and Alaska law offer opportunities for greater flexibility than envisioned in this discussion, which is properly a matter for Juneau's attorneys to explore. The variety of administrative choices described above, however, are fairly drawn from the experience of similar historic districts throughout the country, and it would be well to anticipate them.

Modifications to the Zoning Code

According to Juneau's current zoning ordinance, the proposed downtown historic district is classified as in the C2-J zone, Central Commercial District. Although not a part of this recommendation, the consultants briefly analyzed an alternative recommendation, which was to accomplish the objectives of an historic district simply by amending the requirements for the C2-J zone. The drawbacks to this alternative should be readily apparent, although this alternative did hold out the hope that official administration of the district would be greatly simplified by this device and that areas within the C2-J zone outside the historic area could be made compatible in bulk and design with the historic area without altogether denying intensive development.

In the end, this final recommendation proposes another alternative, which consists of two elements. The first of these was a landmarks ordinance and active landmarks program, which has already been described. The second recommended element is to make whatever modifications are necessary to enable the C2-J zone to be compatible with the historic district. Proposed modifications, with that objective in mind, will be discussed here.

There are three demanding reasons to amend the C2-J zoning standards if the downtown historic district is to be successful. In order of necessity they are:

first, to guarantee a relationship of new construction to streets and sidewalks that avoids jarring contrasts between the historic district and the streets that lead into it;

second, to create a flexible system of height and bulk controls within the district itself which assures that new construction will not unreasonably violate the present scale of historic Juneau; and

third, to clarify somewhat the actual development value of properties within and adjacent to the historic district.

For the purposes of the downtown historic district, any modifications can be limited to the zoning ordinance section entitled Dimensional Standards (Sec. 49.25.409(e)) and more specifically to the yard setback and building height requirements. At the present, the C2-J zone requires each building to set back at least four feet from the street lot line. There is no maximum height limit and, except for required front and rear yards, a building may cover all its available lot area. This recommendation proposes that Sec. 49.25.409(e) be modified to read as follows (additions, ~~deletions~~):

(e) Dimensional Standards. Dimensional standards are:
(1) Minimum lot size . . . . . 2,000 sq. ft.
(2) Minimum yard setbacks . . . . . None
except that ~~a four foot setback shall be maintained from every lot line adjoining a street in the city of Juneau C2 district~~. When a side or rear adjoins a residential district, a minimum setback of ten feet shall be maintained.

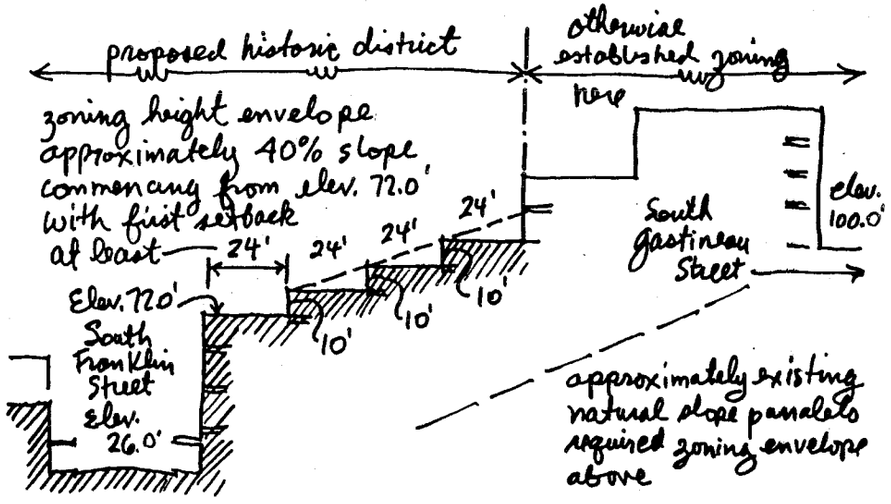
(3) Maximum building height ~~and percentage of lot coverage~~ . . . ~~No Limitation~~ 85 feet

except as follows:
(a) That, within a designated historic district, the maximum height shall be that which is established by adopted guidelines for the district.
(b) That, within those areas of the C2-J zone not included in an historic district, the maximum height of those portions of a building directly adjoining a street may not exceed seventy-two (72) feet in height, and those portions of the building extending above that height shall be set back a minimum of fifteen (15) feet from the street lot line.

(4) Percentage of lot coverage . . . . . No Limitation
(5) Minimum lot width . . . . . 20 ft.

The importance of streetscape in downtown Juneau has already been discussed. In the opinion of the consultants, it is important to recognize that growth and change in downtown Juneau should honor the essential character of the City. Some of this character is intangible, but a great deal is measurable in terms of building heights, street widths and pedestrian amenities such as canopies and continuous commercial frontages. Both inside and adjacent to the proposed historic district, this character has been successfully preserved over the years. Without going the length of designating vast areas of downtown 'historic', it is possible to reflect this character in the City's zoning ordinance in a way that both reinforces Juneau's unique urban character but also encourages new investment within the C2-J zone. All that is required is to specify what will provide a smooth transition between the historic district and the large downtown area.

The text changes proposed above accomplish this end by requiring new construction to adhere to traditional patterns, by directly abutting the sidewalk and by remaining generally within a spatial envelope of about seven stories. Taller buildings are permitted, but because they set back from this height envelope they do not interrupt the cornice or parapet lines associated with existing Juneau streets. Fortunately, existing buildings in Juneau illustrate the appropriateness of this



Proposed Zoning Modifications

height limit. The Goldstein Building at Second and Seward, for example, is within the proposed envelope and is by no means too tall for its street intersection. However, if ten stories were to be added to that building, it would certainly become threatening in appearance, an effect that is considerably lessened if the upper floors are set back as the ordinance modification proposes. Moreover, the setback offers the additional advantage of creating view corridors for buildings farther up the hillsides, a feature the present zoning regulations do not contemplate.

Several alternatives were considered before reaching this recommendation. All were found to be more limiting than necessary on building investment and property rights. Among others, these kinds of alternatives were considered.

a) make no change, which would result in arbitrarily wider streets, out of scale with present day Juneau; reduce by substantial amounts the buildable lot area (by the 4 foot setback); give no view protection to uphill properties and introduce no height considerations for the historic district.

b) impose height limits for the historic district only, which has all the problems of (a) above, plus the additional problem that no transition will be made from the downtown zone into the historic district, which risks setting the district apart from its surroundings. That effect in turn risks creating a break between the economy of the district and its surroundings.

c) impose a single height limit for all the C2-J zone, such as 65 feet, which would unnecessarily restrict the district's surroundings and not adequately protect the historic district. Retaining the four foot setback as well would seriously compromise appearance and the economic use of properties in the district, since those properties are quite small and would be more substantially injured by the four foot regulation.

Two further zoning modifications would also be appropriate. These relate directly to designated landmark properties and can be considered among the incentives available to landmark owners. The first of these amends the Juneau conditional use procedure; the second, the variance procedure.

It is recommended that the conditional use provisions be amended to add a new Section 49.25.600(a)1, which would read as follows:

1. Properties designated landmark sites under the Juneau Landmarks Ordinance (Ord. No.) may be granted conditional use approval under this section on grounds that the grant of conditional use is necessary to preserve the property. Grant of such conditional use shall be subject to the provisions of subsection(a) above, and shall also require a finding by the Juneau Landmarks Commission that the proposed use is necessary to preserve the property and that the proposed use is in accordance with preservation guidelines applicable to the property.

It is further recommended that the variance provisions be amended to add a new Section 49.25.802(e), which would read as follows:

(e) Properties designated landmark sites under the Juneau Landmarks Ordinance (Ord. No.) may be granted variance relief under this section on the grounds that compliance with a certain provision or provisions of this chapter will significantly damage the landmark integrity of the property or arises from conditions that are inherent in the history of the property. Grant of such variance shall be subject to the provisions of subsection(c) above, and shall require a finding by the Juneau Landmarks Commission that compliance with those provisions would damage the integrity of the property and that the variance requested is in conformance with guidelines applicable to the property.

As an alternative to these proposals for conditional use and variance, it might be possible to make exceptions for landmark properties in each zoning category of the ordinance. Aside from being a burdensome procedure, this alternative would lose the ability to be site-specific and to balance the degree of relief against the need of the property, which conditional uses and variances are intended to do. Accordingly, the recommendation here is to resolve hardships on a case by case basis, relying on the Commission's prior recommendation of appropriateness.

Modifications to the Building Code

It should be plain from the later discussion of benefits and incentives for landmark owners, that Juneau has significant power to create programs and improvements which support its landmarks program. Because these opportunities are diverse, it is difficult to anticipate which programs Juneau will choose to pursue and to know when they will be required. For that reason, only the matter of the building code will be mentioned here, since it directly affects the continued existence of many historic buildings.

Alaska law provides the opportunity to make a special case for historic buildings when applying the building code. Because of soil conditions in some cases and because Juneau's historical building types are what they are, it is important to continue to make exceptions for designated landmark buildings. The consultants therefore recommend that Juneau make use of language such as the following in Enforcement chapter of its building ordinance:

(sec.) Historic Buildings and Structures. The Building Official may modify the specific requirements of this Code as it applies to buildings and structures designated as landmarks of historical or cultural importance by the Assembly, and require in lieu thereof, alternative requirements which, in the Building Official's judgment, will result in a reasonable degree of safety to the public and the occupants of those buildings.

Employing the discretion created by such language, Juneau's building officials can develop a number of standards for building rehabilitations that take into account the nature of Juneau's historical construction types and is even prepared to deal flexibly with individual cases. Of particular importance is fire safety, where sprinkler systems can substantially protect conventional construction in the event of fire. Life safety, in the area of exit requirements, is capable of a number of alternative standards, which might range from sprinkler systems, through smoke alarms, public refuge areas and additional stairs, to regular fire drills in some cases, all according to the official's judgment and control. Structural safety, given Juneau's various kinds of construction, can be modified to accept structural rehabilitations that do not disturb the significant features of an historic building, which again can be a matter of broadly applicable rulings or a matter for flexible judgments, depending on the building involved.

It should be noted that with discretion of this kind, Juneau is better able to undertake a systematic investigation of all its landmark buildings with an eye to requiring minimum maintenance. A readiness to be flexible and to accept incremental improvements makes such programs far less terrifying to building owners. Lacking this approach, Juneau might find itself responsible for closing more buildings than it might save by enforcing minimum maintenance.

Economic Support for Preservation

Economic Support for Preservation

For purposes of the discussion which follows, the word 'benefits' is intended to describe those advantages a designated property automatically receives by being designated historic, while 'incentives' are those special advantages that a government such as Juneau creates in order to encourage preservation. As the discussion proceeds, it will become obvious that the consultants have a bias regarding benefits and incentives, so by way of introduction it would be fair to state some reasons for that bias. What follow are some of them.

First the bias. The benefits described here attach to any landmark no matter what its merit or its needs. But only the incentives local government provides can be tuned both to a property's special needs and to the local community's own objectives. So there is good reason to prefer local initiative to blanket benefits for historic preservation. For one thing, it is always better to do the job yourself, especially when outside help from State and federal governments is so uncertain. For another, local initiative is not only quick and imaginative; it is also a perfectly legitimate test of local commitment to local history. Only local government can choose among a vast array of incentives to fit the right incentives to a given site. Short-term and long-term financial assistance, zoning exceptions, building code exceptions, street improvements, housing subsidies - the list can be a long one.

A community's recognition of its own history and its history's monuments is an act of civic pride. In many ways, civic pride is its own reward, however much an individual landmark or historic district may return in dollars or notoriety. The first clear benefit of historic preservation,

then, is the benefit it provides to its own community. The community in turn is well justified in creating benefits for property owners in an effort to assist them in preserving a community resource. Some benefits, such as federal tax incentives, are tangible inducements to preserve history. However, the lasting success of an historic district is guaranteed only through a canny blend of local enthusiasm and affection, with an eagerness to compete in the marketplace. In the absence of a local attitude of this kind, no quantity of artificial support systems can keep a preservation program alive.

With that conviction, the consultants have been wary of recommending any programs that might result in isolating downtown Juneau from its traditional position as the Juneau Borough's commercial center. In many ways, the test of a downtown historic district's future will be whether it does better business, which relies as much on better transportation, on a diversity of services and on residential density as it does on repairing old buildings. If each of these elements is seen as part of a whole - - in fact, part of a comprehensive planning decision - - then downtown Juneau will indeed prosper, and preservation will pay for itself with relatively few special incentives. If, on the other hand, downtown Juneau converts itself into elitist shops and tourist service, and Juneau residents grow accustomed to going elsewhere for their hardware and prescription drugs, then downtown will see fewer customers, more of whom are one-stop shoppers, more of whom are highly seasonal. That outcome would take many costly incentives to redress, and in the consultants' opinion it would be only a matter of time before the historic district comes to be viewed as an anachronism which is impeding needed downtown progress.

One further comment. Benefits and incentives for historic preservation must be viewed, not as a one time gratuity for owning an historic building, but as the earnest attempt of society to enable owners to keep their historic buildings going over many years. Strictly construed, benefits and incentives should match, but never exceed, the difference between a property's value before it became a landmark and after it became a landmark. Where benefits and incentives become complicated is in establishing what those values are and in deciding what is the best way to compensate for the difference. If preservation discloses any financial problems, the problems are likely to be extraordinarily diverse; theoretically there can be as many different kinds of problems as there are landmarks in Juneau. The only general rule to draw from this is that Juneau should be prepared to create as wide a variety of incentives as it can afford, and then to award them very discriminatingly. The criteria in individual cases should be whether the incentive is appropriate to solve the problem, and whether it is sufficient to fund the solution. A few cases might help to illustrate this principle.

If a landmark building is threatened by decaying foundation piling, its owner may be faced either with demolition and replacement, or with immediate structural repairs he cannot afford. In such a case, it is meaningless to offer this owner five years' relief from property taxes in place of an immediate improvement loan for structural repairs.

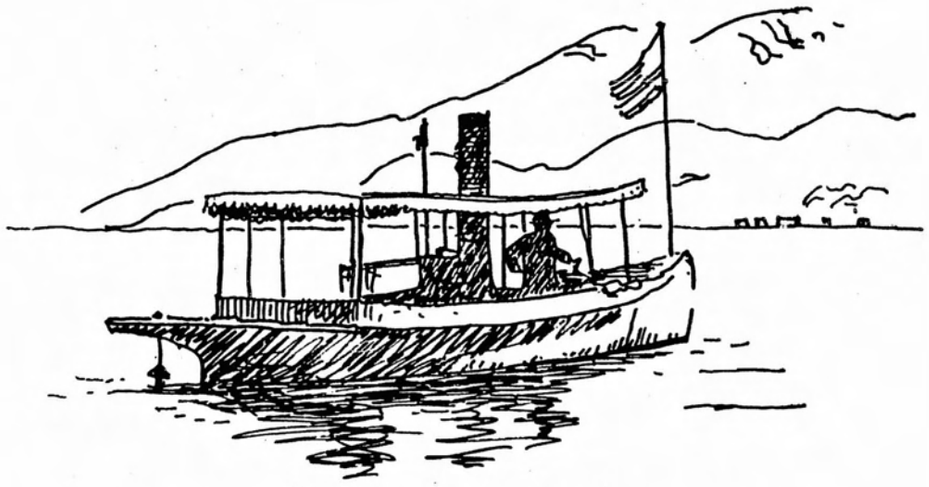
If a property across the street from the first property is threatened by earth slides, a loan for structural improvements may have little value unless all the adjacent properties also make similar improvements. In such a case, an LID to stabilize an entire blockfront would no doubt be less costly to individual owners and would certainly be more appropriate.

If several owners could show themselves damaged - - even if only temporarily - by a pedestrian mall for the historic district, then it might be appropriate to grant them some relief from property taxes. However, the more appropriate response might well be to develop better parking nearby, ideally in a public parking garage. The garage incentive could prove to be the more productive incentive, benefiting more owners than just a few and at the same time directing public revenue toward something that generated more revenue throughout the entire district. The latter choice is obviously preferable to depleting revenue with no commensurate return.

Elsewhere in the district, some building owners might determine that they can capitalize best on the historic district by replacing local service tenants with high gross and high rent businesses - for example, to replace a barber shop with a fast-food franchise. In a free market district, which downtown Juneau ought to be, there are few ways to prevent this. (All the same, high rents are catching, and beyond a certain point militate against the diversity a central business district needs to have.) In such cases, it is more obvious that special incentives are less justified; property tax relief, for example, would constitute a special privilege compared to the status of more modest businesses who are equally obligated to maintain their properties while receiving lower rents.

None of these examples is intended to prescribe a solution, but all together they should indicate the need to tailor incentives to real needs and to deserving properties, using great care to choose which incentives <u>everyone</u> should have, and which incentives to reserve for special cases.

To conclude this introduction, the purpose of incentives should be, first, to bridge any possible disparities in economy before and after landmark designation; and second (and more important) to <u>invest in the fundamental strengths</u> of Juneau. Downtown Juneau has enviable strengths: its historical identity, its healthy downtown, its enthusiastic investors and its central location among the office and hotel complexes, to name just a few. These are downtown Juneau's competitive edge, and these are the best investment for special incentives.



Juneau-Douglas Ferryboat c. 1886

Benefits

The benefits described here are, with one exception, arbitrarily confined to programs already in place at the federal and State levels. A word of caution is in order here, which is that the generosity of State and federal programs is largely beyond the control of localities such as Juneau. In the recent past, there was a national trend toward more generosity to historic preservation, although funding was often below expectation and usually slow in coming. At present, this trend appears to be slowing down if not actually reversing itself, in part because of tighter State and federal budgets and in part from a philosophical conviction that local programs should be locally funded and locally managed.

But no matter which way the pendulum swings, and how far, it is clear that both the Alaska and national governments are committed to historic preservation and will do something concrete to support it. Moreover, a new trend can be distinguished, away from direct grants to landmark owners and toward longer term and indirect support to owners, through attractive tax benefits. Local government programs are to be supported with more modest grants in aid, although they are likely to be greater authority to use their local police powers and special incentives to support preservation. So that one can predict with some confidence that, even if the specifics change over the years, both Alaska and the national government will contribute substantial support to preservation.

In 1981, these are the substantial benefits for landmark owners:

Prestige. Among the several benefits to be described here, prestige is a single exception in that it is not a government program. Of all the benefits a landmark receives, its ultimate recognition as a landmark is probably the most incalculable; and yet it is usually the most rewarding. In historic districts especially, a landmark profits by being in an area the entire community has found to be special. Experience has shown that historic districts quickly catch the eye and interest of residents and visitors alike. If it is a commercial district, an increase in business reflects this interest, and if new business in turn contributes to the upkeep of buildings, everyone profits from a gain in prestige. In most historic districts nationwide, the effect of landmark designation has been to generate private reinvestment out of all proportion to any public investment, based solely on a new surge of confidence and the fact that an entire community now sees its familiar buildings in a new light. The prospect is that this is exactly what can happen in downtown Juneau.

The Federal Economic Recovery Tax Act of 1981. The technical appendix to this study reproduces an excellent analysis of this legislation from the National Trust for Historic Preservation. Only a brief description will be given here, together with the injunction that individuals should consult their own accountants to assess the Act's actual benefits to them.

The 1981 Act creates an Investment Tax Credit (ITC) for 'qualified rehabilitation' to any non-residential commercial building greater than thirty years old. The ITC is a credit against income taxes owed, and can presumably be divided over five tax years, as allowed by the present code. The ITC for rehabilitation is applicable to all buildings thirty years or older on this basis:

30 to 39 years old: 15% Credit

40 or more years old: 20% Credit

'Certified historic structures' enjoy even greater tax benefits than these. The ITC for historic structures is 25% and applies to residential as well as to commercial buildings. Moreover, for such buildings an owner may depreciate the entire rehabilitation investment as well, not just the portion remaining after the ITC. Other provisions of the Act are intended to guarantee preservation of a building after the ITC; for example, the ability to recapture a percentage of the ITC if an owner sells the building earlier than five years after the credit, and the provision which requires demolition of an historic building to be capitalized with the cost of the land rather than deducted.

The term 'certified historic structure' is defined to be a structure listed on the National Register of Historic Places, or a structure located in an historic district which is listed on the Register and certified by the Secretary of Interior as historically significant to the district. In the case of downtown Juneau, this would describe a majority of buildings in the proposed district, but only after Juneau has established its district, documented its individual buildings and received the Register's certification of the district itself and the construction guidelines Juneau intends to follow. Given the substantial benefits in the Tax Act, this lends some urgency to the need to proceed with Juneau's Landmarks Ordinance and establishment of the district.

Federal Register Grants-in-aid. This again is a federal funding program through the Department of Interior, which is authorized to grant improvement money to certified historic properties on a matching basis, half the total cost to be paid by the owner. This fund may also be used to fund historic surveys and historical planning programs by local governments and authorized agencies. The actual federal appropriation is part of the annual federal budget, and of course is subject to change from year to year. The level of funding available to Alaska has been about $500,000 in recent years, although it is fair to predict that this may decrease as a result of the federal government's continuing reductions in domestic programs. As a rule, it has taken owners about a year after an initial application to know whether a grant will be awarded at all. Unsuccessful applicants in any fiscal year are free to reapply for the following year. In the past, this time lapse has caused many owners to seek alternative funding; the uncertainty of continued federal funding levels makes it likely that even more owners will do so. Nevertheless, the grants-in-aid has distinct appeal for Juneau, if not for building rehabilitation, then for completion of the landmarks survey which is necessary for federal certification of the historic district. It should also be mentioned that the State of Alaska administers its own open space development fund which might be made available to locally match the federal portion of any such grant (see below).

Alaska Historical District Revolving Loan Fund. This program is created by the Alaska Legislature to be administered by the State Department of Commerce and Economic Development. Its purpose is restore, improve, rehabilitate or maintain any structure within an historic district. As the law is written, certification by the National Register is not necessarily required, although a local historical district commission, the Alaska Historic Sites Evaluation Committee and the Department of Commerce and Economic Development are specifically required to approve any loan from the fund. Loans from the fund may be made to building owners or to municipalities, for individual buildings or for districts as a whole - even to owners of non-historic buildings that choose to use borrow money to modify such buildings to conform to an historic style in the district. Loans to districts may not exceed $1.5 million to a single district, or $100,000 to an individual building, and are granted for up to eighty-five percent of collateral, with a lien on the property securing the loan. In the fiscal year 1980-81, $200,000 was appropriated to the Revolving Fund, most of which has been committed. Future allocations to the fund will obviously depend on demand and on the ability of the State to fund the program.

Outdoor Recreation, Open Space and Historic Properties Development Fund. The State of Alaska Department of Natural Resources, Division of Parks and Recreation administers a fund primarily intended to assist localities in acquiring open space, but which has been broadened to include historic preservation. Under this program, the State may, on behalf of local governments, acquire property for parks and open space, the intention being to pay the local, non-federal share of acquiring and developing such properties under existing federal matching fund programs. The Department has similar authority to invest in acquisition and preservation programs for individual properties and districts, although Department policy and funding level is not certain, nor is it certain what the federal funding level may be for the matching funds made available here. Nevertheless, the intention of the Development Fund is sound and extremely promising for

beginning historic districts such as Juneau, in making possible an early demonstration of improvement, either through individual building restorations or with park and open space improvements within the district, some of which are recommended in this study.

Pending Legislation. The Alaska State Office of History and Archeology, a branch of State Department of Natural Resources, plans to file legislation which enables the Department to make grants of up to seventy-five percent of cost of historic properties projects initiated by owners or communities such as Juneau. If adopted, this legislation will have the effect of clarifying the Development Act described above, and removing the requirement for a federal match, while placing clear emphasis on State support for local preservation. It is plainly in Juneau's interest to support such legislation at the State level, whenever proposals such as this promise material support for downtown Juneau and for individual sites as well.

The Alaska Historic Preservation Act. This State Legislation was adopted largely in response to the National Historic Preservation Act of 1966, and offers considerable assistance to Juneau for its local program. The State Act creates an Alaska Historic Sites Advisory Committee and designates the Department of Natural Resources to be the responsible agency for historic preservation in Alaska. Among other responsibilities, the Advisory Committee and Department review and approve local preservation programs and sites for official action by the National Register; a procedure which establishes a property or district's eligibility for the federal benefits mentioned above. Plainly, the Advisory Committee and Department will have considerable authority over, and sympathy for Juneau's efforts in historic preservation, and are in a position to contribute substantial support for Juneau's historic properties under a variety of State legislation which relies on prior recommendations of the Committee and Department. The State Preservation Act also prescribes a concern for local landmarks when State projects are designed or under construction; it permits the State in certain cases to acquire known historic sites in order to protect those sites from damage; it institutes a permit procedure at the State level for most proposed alterations to officially designated historic sites; and goes on to provide specific powers to local governments to grant incentives to historic properties in order to assist their preservation. Among these incentives are the ability of localities to exempt landmarks from zoning, building code and property tax requirements. All in all, the State Historic Preservation Act is of great assistance to Juneau in its preservation program, not least in its creation of the Office of History and Archeology as an advocate at the State level for local programs such as Juneau's. The State office has a specific obligation to be the liaison between local individuals and governments, and the State and national governments so far as appropriate programs and available funding are concerned.

Financial Incentives

The effect on the Alaska Historic Preservation Act has been to amend State statutes to provide considerable discretion to local governments in pursuing historic preservation. Even apart from the Act's specific exemptions, Juneau has considerable authority to support preservation; but the Act's extension of authority to exempt properties from taxes and zoning and building code restrictions has the effect of vastly expanding Juneau's ability to select incentives for local property owners, both to preserve their buildings and to prosper while doing so.

The consultants have already expressed their preference for local initiative in preservation, and their confidence that Juneau can create effective incentives that will assist the private sector to contribute to the program. The incentives described hereafter are by no means an exhaustive list. Ideally, Juneau will pick and choose among them in order to assemble the incentives that produce the best and earliest results. Most properties will require no more than a few incentives in order to succeed; some may require only short-term incentives; and some properties may be able to wait some time for further incentives, which allows Juneau considerable flexibility to prioritize and to time its investments in preservation.

The incentives listed here, especially those for public works and housing, are made with an eye to the specific recommendations in the report. Moreover, it should be clear that some of these incentives benefit everyone more or less equally, while others allow Juneau freedom to meet the needs of individual owners on a case by case basis. Where appropriate, the following descriptions will add some comment on how these incentives may be applied.

Tax Relief. State statute now permits localities to exempt properties from local school and city taxes by ordinance, for the purpose of preserving historic sites, building and monuments. Quite understandably, this is a power that Juneau is apt to use with some hesitation. On the one hand, there is the firm democratic principle that all citizens should be taxed equally, together with concern for the complexities of administration that special taxing arrangements introduce. Add to this the inevitable effect that, for each tax benefit given, other taxpayers must shoulder an additional burden. On the other hand, the argument can be made that preserving Juneau's history and preserving the prosperity of downtown Juneau are legitimate concerns of the entire Borough; and if creation of a landmark district is simply one of several policies intended to serve this public purpose, then tax relief is an equally legitimate device to guarantee its success. In the consultants' opinion, the following are useful principles to follow in considering any tax relief for landmark properties:

All landmark properties should be appraised at their current use and condition, not on the basis of a highest and best use theoretically created by present zoning - especially in the case of a downtown district, where many existing properties are far too small ever to achieve that highest and best use.

Any tax relief granted should be granted on the basis of an equivalent material return to the public, which is to say, that an owner must demonstrate an equivalent effort to improve and preserve his property in exchange for relief.

Tax relief should be granted only for limited time periods, allowing the City/Borough both to monitor results from such relief as well as to recapture the tax benefits from properties which have appreciated in value as the result of the preservation program.

Tax relief need be granted only in proportion to the actual need of a property, not necessarily in full.

Tax relief is best granted on the basis of individual hardship or hardship of a class of ownerships, rather than risk applying it district-wide. In the latter case, the result is apt to be a special privilege to owners with less financial hardship and to owners whose properties are less significant historically and are subject to less stringent controls.

And finally, the incentive purpose of tax relief is usually served best by combining it with other incentives. For example, relief may be granted during the repayment period of a structural improvements loan or during the early years of an LID that provides street improvements or soil stabilization. In such cases, tax relief creates some leverage effect to induce reinvestment in the district well beyond the value of the tax relief itself.

Zoning Exceptions. A few zoning exceptions have already been recommended in this study (under Legislative Actions) and rely on the authority given Juneau under State statute to make such exceptions. The purpose obviously is to provide relief to historic properties for real hardships they may have in complying with modern zoning standards and to offer them some marginal advantages over non-historic properties in exchange for a commitment to preserve their historic integrity. Exceptions may take many forms, including relief from off-street parking requirements and setback standards, not to mention the possibility of housing uses that are otherwise permitted in the landmark's zone. As recommended in this study, zoning exceptions are best granted on a case by case basis, which allows Juneau to assess a property's need and to tailor the exception to the specific objectives of the Landmark Ordinance. Among other zoning incentives, there is the ability to permit development rights in the historic district to be transferred outside the district. Since this device raises complicated issues, it is described separately below, but is not recommended by this study.

Building Code Exceptions. These, too, are not permitted under State law, and a general recommendation has been made above (under Legislative Actions) to provide discretionary exceptions for landmark properties.

Local Landmarks Loan Fund. As conceived by the consultants, Juneau's historic preservation program will force attention to bona fide hardships for some owners of landmark properties. Whether as a result of deferred maintenance or because of progressive soil and structural problems, it is in Juneau's interest to attend to these problems as early as possible. Specific recommendations for a program of structural repairs are made elsewhere in this study and it would be the purpose of the Landmarks Loan Fund to assist in such a program. At the most economical level, Juneau should explore ways to fund at least those properties which have economic difficulty in maintaining the historic structure itself. At a more generous level, if the funds are available and once the most threatened properties

South Franklin Street, 1915

are made sound, the fund can be expanded to finance non-structural improvements such as restoration of architectural details or interior alterations. It is also possible that the fund might be made available to the Juneau Landmarks Commission in special cases, to carry out repairs to buildings on an emergency basis or because a particular project is of exceptional importance to Juneau.

Whichever alternative is chosen, it is well to remember that this study recommends a limited but expandable program for historic preservation in Juneau, partly in anticipation that there will be individual hardships and that in the beginning there will be limited means in the public sector to respond to those hardships. One of the more important recommendations, therefore, is to investigate the creation of a Juneau Landmarks Loan Fund. A variety of funding sources should be explored for this purpose, which might include funds from the State Historic District Revolving Fund; from direct appropriations from the City/Borough of Juneau; from private individuals and corporations; and from any future programs that the State of Alaska may initiate for historic preservation.

It should also be mentioned that there is a variety of ways such loan funds can be made to work. One alternative is that the City/Borough of Juneau can hold the capital and administer loans itself. Another is that the City/Borough might employ the interest from loan fund capital invested in private banks to subsidize low interest loans from those banks directly to private owners, which holds out the possibility that a relatively modest, public fund can generate substantial private sector participation in preservation. It appears that there may be some tax advantages to financial institutions that engage in loan programs of this kind.

Preservation Easements. With this description of easements and the transfer of development rights described below, the issues become very complex and no one can be said to have written the final word on either subject. For a useful analysis of preservation easements and their value to the Juneau preservation program, the City/Borough should consult with the State Office of History and Archeology and with the Juneau city attorney, since considerable case and tax law as well as theory is involved. The concept of preservation easements is that the public or an agency of the public may acquire a portion of a private landmark with the purpose of preserving a significant landmark feature. Public title may be acquired either by purchase or through donation and there are significant tax advantages to a private owner either way. In the case of purchase, the valuation of the remaining property can be very considerably reduced for property and estate tax purposes, while the property itself can continue to produce as much or better revenue than before. Donation of an easement is classified as a charitable bequest and offers still further benefits to the owner. The easement remains the responsibility of the property owner to maintain according to the conditions of a covenant of easement which

runs in perpetuity. In the case of donations, the easement valuation is made by the U.S. Internal Revenue Service on the basis of the property's fair market value before and after the covenant, and the value can be substantial.

There is an understandable suspicion on the part of many landmark owners that a preservation easement will seriously compromise their anticipated returns from their property, and although a great many easements have been donated for preservation purposes nation-wide, it is difficult to state that easements are universally accepted as tool of preservation. Nevertheless, Juneau will do well to explore the easement option for two very good reasons. First, the donation or sale of an easement brings an immediate financial advantage to a property owner, especially if that owner is dedicated to preservation but requires immediate financing to improve a property's commercial utility. In downtown Juneau, where many properties are small ones and many owners can see limited opportunities to substantially redevelop their land, easements can be a very fair and productive means to generate private reinvestment in business while preserving buildings. Second, Juneau should not overlook its ability, with the possible funding assistance from the State of Alaska, to acquire entire properties outright and to resell them with a preservation easement attached to the deed. In such a case, the lower resale cost of the property would constitute a subsidy for the buyer which should in turn contribute to the financial success of the property user.

Transfer of Development Rights. The continuing debate over local re-zoning, historical preservation and environmental protection has led to a search for various devices to mitigate the effects on property owners who feel themselves financially damaged by such legislation. One such device is the transfer of development rights, in which it is assumed that a property has a known development potential; that a quantifiable portion of that potential is about to be removed by government; and that in mitigation of this, the owner should be allowed to transfer those development rights to another owner who can add them to his own rights in exchange for a fee. Using downtown Juneau as an example, properties in the historic district once had the zoning rights to be redeveloped as buildings which set back four feet from the street property line but are of virtually unlimited height; this despite the fact that a large number of properties in the district are very small ones and have little prospect of being redeveloped in this way.

In theory at least, these are very substantial development rights, which invites the questions of whether their value can be used to support business and support preservation. The answer raises complex problems which again should be discussed using the Juneau example. The first problem is how to set a value on a property's unused development rights, since many of these rights cannot realistically be used except in the unlikely prospect that a single developer can buy out an entire block at a time and construct a project of unlimited height. This problem in turn raises the question of whether, within the same zone, larger properties can claim greater development value or whether every property's rights are the same. Assuming this problem to be satisfactorily met, the next problem is to place a dollar value on those rights and to find a buyer for them. Valuing the rights is potentially problematical, since the value of a large new building might reasonably be modified by the public's need to construct improved roadways and expand utility services, all at the immediate expense of Juneau's present tax base or at a direct cost to the developer himself.

The problem of finding a buyer is equally difficult and raises new questions. At present, zoning around the historic district is sufficiently intense that no one in that zone has any need to purchase additional rights. Outside the zone, there appears to be sufficient undeveloped property that little market exists for a sale of development rights compared to what market might exist if Juneau were crowded with development and land prices were accordingly very high, in which case added development might be attactive. Moreover, most cities have found difficulty in transferring development rights indiscriminately, since by their nature, transfers of such rights involve an opportunity somewhere to build buildings much larger than their zoning would otherwise permit. For example, in Juneau's case, if development rights were to be sold out of downtown Juneau to sites in the Gold Creek delta area, Juneau would have lost its power to control development effectively in that area, together with its ability to control street and utility expenditures in that area. Moreover, the degree of development this encourages might soon compromise Juneau's purpose in creating the downtown district, which is to encourage business development primarily in the existing downtown.

It can be seen that transfers of development rights raise genuine problems for comprehensive planning and will require very sensitive planning decisions before they can be used and even before they can be made marketable. Despite the problems raised here, however, the fact remains that downtown Juneau has some unused development rights that under certain circumstances represent a dollar value. If it were possible to apply this dollar value to preserving downtown buildings and downtown prosperity, it would be wise to convert those rights to dollars and to include them as an incentive. At present, the best that can be recommended here is to defer the questions of development rights transfers until after adoption of the new comprehensive plan, when the usefulness of such transfers can be better evaluated. Any landmark ordinances adopted between now and then can allow development rights transfers from landmark properties conditioned on future actions by the City/Borough to establish the value of such rights to designate areas within the Borough where such transfers may be used in accordance with the Comprehensive Plan.

Project Opportunities

Project Opportunities

A number of supportive projects, both public and private, are described in the recommendations of this study, and many more will no doubt be suggested by the imaginations of Juneau's citizens. It should be sufficient here to list a few of these possibilities and ways in which they might be funded, having in mind the experience of numerous other cities that private investment responds generously to a demonstration of public interest, particularly when public investment is directed to making a neighborhood more visible and more attractive.

Public Projects

It should be kept in mind that public investment, whether or not a district is historic, is an absolute contribution to property values and to local morale. The prospect of contributing improvements to a downtown historic district simply establishes a priority for downtown that simultaneously lends momentum to its new historic district. Unlike the incentives described so far, public improvements are beneficial to all property owners in the district equally, not only to the most needy owners or most significant buildings. Among many possibilities, the consultants have recommended several of the following improvements:

Parks and Open Space. It has already been stated that one of downtown Juneau's distinguishing virtues is the continuous density of its street frontages. Granting that as a fixed quality to be preserved, there are yet two specific areas where open space development can provide impetus for private improvements, the first at Front and Franklin and the second at the east side of City Hall.

The first of these would create a pedestrian sanctuary at the prominent intersection of Front and Franklin where today there is a regrettable break in Franklin Street's otherwise continuous line of buildings. It is stroggly recommended that early attention be given to repairing this gap with some kind of open space development, which can be designed to combine additional sheltered public space with expanded commercial use and continued service access to the adjacent buildings. Two schematic suggestions for such a development are given in the accompanying illustrations, which might be funded with a combination of public funds, private gifts and investment by abutting commercial owners. Gifts of art and the inclusion of historic Juneau displays would justify a valid public interest in project funding

Suggested Mini-Park, Alternative A

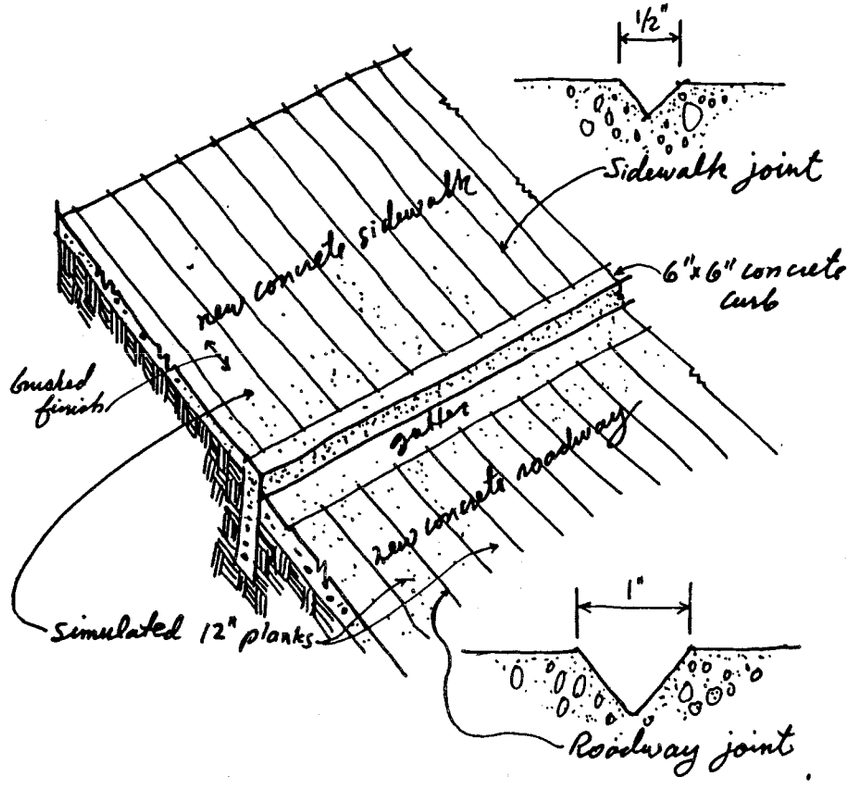
Suggested Mini-Park, Alternative B

and make this area a positive contribution, both to local pride and to visitor interest in the downtown.

The second project, adjacent to City Hall, would convert the present back alley atmosphere of Shattuck Way to an integral continuation of Juneau's retail street network. Its effect would be to nearly double the possibility for retail frontages within the district by making Shattuck Way and its pedestrian alley connection from Franklin a positive attraction to pedestrians. Ideally, this would involve establishing a pedestrian entrance into City Hall somewhere along Shattuck Way itself. Currently unused and fenced-off portions of the east-west connecting alley could profitably become outdoor (or even enclosed) retail or food service fronts, which in turn would counteract its current abandonment to occasional trucks and indigents. There is no reason to assume that improvements to the street surface, remodeling of store buildings and City Hall itself, or public art works would negate the area's current use for loading and parking. Following the principle stated for the pedestrian mall, neither of these activities is incompatible with a successful pedestrian space, which this one can easily become. Some of these improvements can rely on private initiative, but considerable encouragement would be given by the City/Borough government if initial improvements were to be made to the City Hall itself and to the street surfacing as a public investment.

Street Improvements. Sidewalk improvements throughout the downtown will create an immediate effect of uniform improvements, that call attention to the district as a whole and accomplish what in some areas is long-needed maintenance. The consultants' recommendation is to install new concrete sidewalks whose joint pattern recalls the wooden boarding that originally served for streets and sidewalks along Franklin and Front Streets. A jointing pattern of lines perpendicular to the storefronts and curb, about 12 inches on center, would conform to the original scale of Juneau's plank streets. Ideally, this jointing pattern would extend to the roadways as well as the sidewalks at any time the roadway surfaces are replaced. It would be inappropriate to introduce non-traditional materials such as brick or tile into the district at this later date, which present difficulties for future repairs and are less acceptable pedestrian surfaces in climates such as Juneau's. A probable source of funding is apt to be a combination of a district LID with available street and arterial improvement funds. (Special care should be taken not to seek funding that imposes standards incompatible with those of the district, such as street widening or inappropriate lighting systems. The State Historic Preservation Act should be of some assistance in obtaining exceptions to such standards.)

Street Closures. These have been widely discussed within Juneau and among the consultants. According to several questionnaire responses, there is some sentiment in Juneau for conversion of some downtown streets to pedestrian malls. The consultants themselves have the feeling that street



Suggested Paving Improvements

congestion in the downtown (relatively minimal as it is) contributes to the atmosphere of commercial activity that identifies downtown Juneau as the city's favorite marketplace. As long as traffic is not too fast through the district, which congestion guarantees, then the mixture of men and machines is not ruinous to Juneau's atmosphere. Moreover, many buildings and businesses are wholly reliant on short-term street parking and loading, which street closures might severely restrict.

For these reasons, together with the circulation problems mentioned in the Circulation and Parking section earlier, the consultants prefer to recommend a demonstration project for Front Street only at this time. (Shattuck Way and South Seward might be added at a later time.) This project would involve temporary closure of Front Street during off-peak hours, for example, between 10 am and 4 pm, and on Saturdays and Sundays. Lanes for limited loading service and fire access could then be kept open, as well as access for elderly and handicapped shoppers. This demonstration for a limited period, will show what parking adjustments are necessary and whether the pedestrian street closure really results in increased business.

Obviously, the street closure concept will work far better when parking is developed on the district perimeter, and some allowance should be made for the experience of other cities, which is that pedestrian malls generate an early surge in business which tapers off after about a year, once the novelty has worn off.

Street Lighting and Utility Improvements. In this category, there are two areas for public investment, one for general street lighting over the roadways, the other under the district's continuous canopies. In addition to these, there is the question of whether to relocate existing power and telephone wiring underground or in some way improve their present appearance. Street lighting and utility poles are of course interrelated, since most lighting systems are pole mounted, which usually means that poles will remain even if wires are moved below ground. Underground wiring and service connections to individual buildings can prove quite costly, it should be pointed out, and raises some doubts whether this should be an early investment in the district at all, since it might take years to pay off this investment and there is little certainty that undergrounding would show a sizable profit at the cash register (particularly when compared with other possible investments such as structural repairs or repainting).

Nationally, other historic districts have approached utility poles either as historic realities that should be kept or as aesthetic atrocities that had to be removed. As a result, some have kept their utility poles, some have not. In Juneau's situation, the consultants propose that the utility poles be retained for now. But in doing so, Juneau should seriously consider replacing its present cobra-head light fixtures with street lighting closer to pedestrian level and conforming better with traditional light fixtures, which were generally incandescent lamps with sheet metal shades suspended over the roadway on span wires. Bracket mounted fixtures, about twenty feet above the roadway and on the utility poles, would be a very plausible compromise today. At the same time, the existing wiring pattern between poles and to individual properties can be reorganized far more neatly than at present; it is obvious that there is little apparent justification for the clutter of wiring that has accumulated along Juneau's streets over the years.

Finally, the lighting of sidewalks is exclusively the job of light fixtures on the soffits of downtown's canopies, which should be made a matter of uniform fixture standards, both of fixture design and spacing. In combination with sidewalk improvements, this canopy lighting will provide a strong accent to historic Juneau's retail frontages.

Parking Development. The need to provide parking support downtown with or without an historic district (but especially if the historic district is to be a success), is an essential part of the consultants' recommendations. Although it may wrongly anticipate the outcome of the pending comprehensive plan, this recommendation recognizes that convenient access to the downtown historic district is essential to its success.

Parking development might take many forms; what is recommended here consists of at least two locations, one north and one south of the downtown center, both of them in permanent structures. Because both developments will benefit a far larger area than the downtown historic district, it seems appropriate to look to public bonds to provide construction funding as well as acquisition of property. If any portion of these is revenue bonds, servicing would have to be provided through a combination of parking tarifs, some long-term leasing of stalls and local assessments. It should be noted, however, that reliance on some of these sources works against the principle of free and easy access for the general public. It is also quite possible to view funding for each development separately if a way may be found to secure some State participation in funding that portion of parking which lies closest to the State office complex. Since one of the major causes for the scarcity of retail parking downtown is the use of existing facilities by long-term parking for State Capital operations, there is arguably some justice in this approach. If the State might be persuaded to join in a parking program, either through contributions to capital costs or by leasing a certain number of spaces in a completed structure, the cost of Juneau taxpayers might be considerably reduced.

Whatever the source of funding, it is clear that some kind of systematic parking development will be viewed as a major incentive to reinvestment in the downtown district, and an overwhelming number of response to the

historic development questionnaire confirm this recommendation. A further alternative, which can be better assessed by the comprehensive plan, is that the State develop additional parking for employees and visitors somewhere to the north of the present State office buildings and possibly usable as shared parking with the convention facility. The effect should be to reduce the capital's parking pressure on downtown as well as associated traffic impacts.

Soil and Foundation Stabilization. Downtown Juneau has two distinct structural conditions, either of which in time may result in the loss of significant buildings. East of Franklin there are known earth slide areas which progressively threaten a number of buildings in the proposed district. It has been recommended that the City/Borough undertake a program to correct this condition. Although specific cures have not been identified by prior studies, it seems probable that a system of hillside drainage will relieve the worst of the problem. It should be recognized that this soil condition affects not only those buildings in the historic district alone. Existing residences on this slope are equally threatened, and the ability to build either commercial or residential buildings in this centrally positioned area is seriously compromised by soil conditions.

It will be recognized that correcting this problem is a substantial incentive to maintaining adjacent buildings in the historic district as well as adding immeasurably to property values uphill and outside the district. With that in mind it seems proper that the work be initiated as soon as possible and that it be performed as an LID with the cooperation of the owners who are benefited. Under ideal circumstances, such an LID might be combined with redevelopment along Gastineau, such as new housing, which might justify some form of tax increment financing. But if that is not immediately likely, the seriousness of the earth slide problem indicates a need for immediate - possibly temporary - measures to correct the problem.

West of Franklin, a considerable number of buildings still rely on piling foundations which over the years will require repair or replacement. It is known that some buildings in the area beyond the original shoreline are in urgent need of foundation repairs. This study has recommended that further engineering studies be undertaken to identify what problems there are, what remedies are necessary and at what cost, and whether the City/Borough should share a portion of the costs. Since this area is almost fully built up, repairs are likely to be possible only on a building-by-building schedule, and it is therefore appropriate that low-interest loans be made available for these repairs, if at all possible, to the individual owners. In cases of extreme financial hardship, and when a structure is of significant importance to the district, the City/Borough should consider making repairs under its emergency powers.

In either circumstance, the determination to preserve the downtown's integrity with structural repair programs benefits the district as a whole and is rightly seen to be an area-wide incentive for preservation.

Housing Programs. Earlier in this study, the consultants recommended encouragement of new housing in the Juneau downtown area. A number of perceptive response to the historic development questionnaire also identified greater residential density as being critical to the downtown's future prosperity. It must be assumed that greater density will not occur without a determined effort by government to encourage residential maintenance and new construction. The 1976 Housing Study by the City/Borough planning staff estimated that at the present growth rate, Juneau has an annual need for 362 housing units to meet the housing demand. Yet since 1977, new home construction (other than mobile homes) has declined to less than 270 annually.

Housing programs are beyond the scope of the present study, of course, but a few significant opportunities may be identified. As to funding, the merging of most federal housing programs into Community Development Block Grants and the subsequent reduction of Block Grant funding makes housing programs more difficult than formerly.

Assuming Juneau makes use of Block Grant funding for housing a priority, then it is worth using such funding as a combined incentive both for housing and for historic preservation. A number of buildings in or near the historic district are partly occupied by housing, much of it in poor condition and still more of it being converted to office use. In future housing studies, Juneau should investigate the effects of giving preference to owners who restore or add housing in designated landmarks. Preference may take many forms, including tax benefits, priority for improvement loans, foundation stabilization programs and access to State-awarded grants-in-aid and the revolving loan fund. Soil stabilization with public monies, which was mentioned above, might also be used as a land cost subsidy in cases where new housing is built in the stabilized area.

If the State Capital remains in Juneau - which appears a distinct possibility - then it should be remembered that the capital is not only an asset to Juneau, it is also an impact to be absorbed. This includes the housing impact, and it therefore seems reasonable that at some point the State will recognize the need to assist Juneau with its housing program. Whatever funding sources are found, the first principle should be to subsidize private initiative rather than embark on a public building program. The areas south and east of the proposed historic district are the most inviting, though not necessarily the only sites for new residences, because they will directly support downtown and still be within walking distance of retail stores. They therefore pose less of a traffic and parking problem to downtown than more remote development.

Private Initiatives

A sure sign of success for historic preservation is the appearance of private individuals willing to invest time and money in celebrating the community's history. This participation can take many forms, ranging from making major repairs to an historic building, or building a sensitively designed new building in the district, to organizing a parade on Juneau's birthday. Since some of these private initiatives are genuine incentives, it is well to include some examples here of how government and the private sector can combine to make them a benefit to an entire district.

Main Street Program. The National Trust for Historic Preservation for several years has given its attention to community business districts that are traditional centers of commerce in their region, but are in need of upgrading and economic encouragement in order to preserve their competitive position. The Trust's approach, which it calls its 'Main Street Program' is practical and hard-headed in its perception that downtown preservation must rely on active participation by interested building owners and businessmen for whom preservation of buildings is but one component in the renewal formula.

A descriptive article from the National Trust is included in the Appendix to this study, and the consultants strongly recommend its approach both as a way to bring downtown businessmen together and as an indication of how these businessmen can set achievable goals for Juneau's downtown. Many of the National Trust's suggestions correspond with recommendations contained in this report and rely heavily on the determination of the private sector to carry them out. In outline form, the Trust uses this approach:

1. Organize local merchants, business people, city officials and civic groups into a collective effort to revitalize and preserve the district.
2. Initiate a paint-up, fix-up program in the district, especially in its building fronts, to create a unified and attractive image of quality.
3. Promote downtown through improved advertising and special events, to generate new interest in the historic commercial district.
4. Develop a healthy and competitive mix of goods and services in the district, by recruiting stores, services and professional offices and by developing housing - all of which is the pattern of activity needed for survival.

The Trust has been directly involved in Main Street programs in a number of American cities and towns and has the practical experience and the explanatory materials that should attract the interest of Juneau's downtown businessmen. Because the Trust's Main Street coordinators are themselves business people, there is little danger that their recommendations to Juneau will result in an unbalanced relationship between preservation enthusiasm and commercial realities. The consultants therefore recommend that downtown Juneau do organize itself around the historic district proposal and familiarize itself with the Main Street program as soon as possible.

Private and Corporate Gifts. To suggest just a few, these might include permanent gifts to the downtown district such as totem poles or artwork for open spaces; private funding for street furniture such as benches or landscaping; private financing for special fixtures such as street lighting and even specially designed manhole covers (as Seattle has done); public reader boards for notices and advertisements; and, last but not least, donations of property for public use.

Front Street, Seward to Main, 1909

A Paint-up, Fix-up Program. Specific guidelines have been proposed in the Guidelines chapter that are calculated to produce a pronounced effect on downtown Juneau's image. The colors chosen are intentionally bright ones, for the very good reason that Juneau's climate is already gray and that manmade color will do much to counteract the feelings that the climate inevitably induces. Although not strictly historic, these colors are well adapted to the style of architecture common to downtown Juneau. A coordinated effort by downtown owners to repair and repaint existing buildings will produce an immediate effect of public interest and local confidence that by itself will outweigh many of the more ponderous programs that will take years to show results. The consultants urge an early beginning for such a program.

In connection with this work, it would be ideal to restore some building facades that have unfortunately been remodeled in aluminum and glass or stucco, far removed from their traditional styles. For a further example, windowless side walls and even windowless storefront walls (there are prominent examples at the Franklin and Marine Way intersection) can be effectively relieved by good paint colors and can even introduce historical subject matter into the repainting. Indian native motifs, or reproductions of old photographs or line drawings, for example, might be found appropriate by the Landmarks Commission, not to mention well-executed painted signs.

New and Infill Buildings. As was pointed out earlier, the district boundaries have been positioned in such a way that new construction on the boundaries of the district will be encouraged to reflect the historical development in the district itself. Not only architectural style, but the continuity of retail frontages is the objective here, as a few examples may illustrate. At Seward and Front Street, there is an extensive parking area that once contained a continuous line of store-front buildings. Removing these buildings has caused considerable visual damage to one of the downtown's major points of entry. If and when this area is redeveloped, every attempt should be made to return the building mass to the sidewalk edges as it was before. This would effectively add an entire block to downtown's apparent width, an effect that will repair the abandoned appearance of downtown's eastern boundary, and add important mass to downtown's retail floor space. Best of all, it will provide encouragement to redevelop shop frontages along both Front and Seward Streets, where relatively few pedestrians are now encouraged to go.

Across Front Street, where the City/Borough is contemplating a parking development, the same rule should apply, that building bulk should extend to the sidewalk and that shops should be included if at all possible.

Mention has already been made of City Hall's opportunities to improve Shattuck Way, with the hoped for result that new shopfront development will be encouraged along that street. Even a few show windows along any of these streets, and preferably entire shops or second entrances, would create the instant impression that downtown Juneau had doubled in size. All these alternatives are to be strongly encouraged.

Artwork and Exhibits. Mention has already been made of the possibility of artwork and displays, whether publicly or privately funded. It remains to suggest some prominent locations for such contributions. The district has two prominent 'gateways', one at Front and South Main, another at Ferry Way and South Franklin. In former years, Juneau had imposing displays of totem poles at such locations, which strongly suggests that this be done once again. The district has one very prominent 'node' at the Franklin and Front Street intersection, where the consultants have suggested an open space development. Once again, this node offers an effective setting for artwork at least of the scale of totem poles. The Shattuck Way court beside City Hall presents a different problem because of canopies and service vehicle circulation, and yet this area also offers recesses for substantial three-dimensional artwork as well as for well-executed low relief or painted murals. These can occur either on public or private property, but the impetus to install artwork will almost certainly come from the private sector.

More fragile displays, such as photographs or memorabilia require sheltered spaces and might be located at the proposed Franklin Street shelter, at a remodeled City Hall entrance on Shattuck Way or even in a remodeled shopfront, if there is a shop and the necessary funding available. In any of these spaces, it should be kept in mind that antique industrial equipment, whether from mines, utilities or packing plants, has considerable interest for visitors.

A Plaque Program. Once historic districts are established and catch the eye of visitors, it is important to identify what the history is and what sites are important. In other districts elsewhere, there have been extensive programs to install plaques on significant buildings and throughout districts, very often as a product of private initiative and private funding. These programs involve numbers of people in research, in writing text and in actually producing and mounting the plaques. Juneau would profit considerably from such a program, not least by providing a wider opportunity to citizens to become directly involved in the district.

Walking Tours. Juneau already boasts some excellent published walking tours, but it might be pointed out that, once there is an established landmarks program, these can be readily combined with the plaque program and film exhibits to provide an even greater historical intimacy. During the tourist season these can be integrated into personally conducted tours by private groups of volunteers.

Program Assistance. The City/Borough should always make it possible to accept and give public credit for contributions to its preservation programs. If a bank consortium, for example, were to become involved in giving preservation loans or housing loans, they would richly deserve credit for their participation. Juneau should also actively invite individual and corporate gifts for public improvements as well as contributions to loan funds for the district or for housing. When there are tax advantages for such giving, the City/Borough should make that known to potential givers.

District Promotion. The consultants have recommended that there be a private organization established to promote the rehabilitation of downtown, to actively solicit improvement funds and to encourage new business to locate in the historic district. In order to function effectively, and because historic preservation programs are a specialized area, such an organization will require some full time staffing. Since success for this program will benefit Juneau directly through taxes and private reinvestment, it is appropriate for the City/Borough to subsidize a portion of this staffing, at least in the early years of the district. As a combined incentive from the private sector and the Juneau government, this program will be invaluable.

Second Party Investment. A number of private investment brokers in recent years have investigated the tax shelter advantages of historic preservation. As a result, a number of syndicated investment groups have been formed to purchase and rehabilitate historic properties for the benefit that provides the syndicate in tax advantages. Juneau may well offer an opportunity to groups of this kind once Juneau's landmarks are certified as eligible for the 1981 Income Tax Credit. If so, historic preservation may produce some beneficial resales or partnerships and additional rehabilitation activity which would not otherwise have occurred.

Classification of Structures and Construction Guidelines

Classification of Structures

It was recommended above that Juneau supplement the general standards in its Ordinance with standards it adopts by administrative rule. These are properly more detailed and can take better account of historic Juneau's special circumstances. In order to distinguish Juneau's standards from those of the Secretary of Interior, the Juneau standards will hereafter be termed Construction Guidelines, and it is expected the Guidelines will govern approval of any building permit for a project on a designated landmark property.

The consultants recommend that the Juneau Landmarks Ordinance charge the Landmarks Commission to accomplish three specific tasks within one year after the creation of the Juneau Ordinance. Each task will then be subject to final review and endorsement by the Assembly. These tasks are:

To complete documentation for each building in the downtown district, which is most efficiently done by completed application forms from the National Register, one for each property; and

To assign categories of significance to each individual building, using the Secretary of Interior's Standards for Evaluation, which are reproduced below; and

To draft Construction Guidelines for historic properties which will control modifications and new construction on designated landmark sites.

The Construction Guidelines suggested below are intended primarily to protect significant buildings, although several guidelines (e.g., signs, and new construction) apply to all buildings or to new construction only. The Commission is free to allow exceptions for certain buildings that are of relatively little significance in the district, when such exceptions will relieve a hardship and when the exception will not result in incompatibility with the district's purpose.

The standards to be followed are those of the U.S. Secretary of Interior, and for convenience are reproduced here.

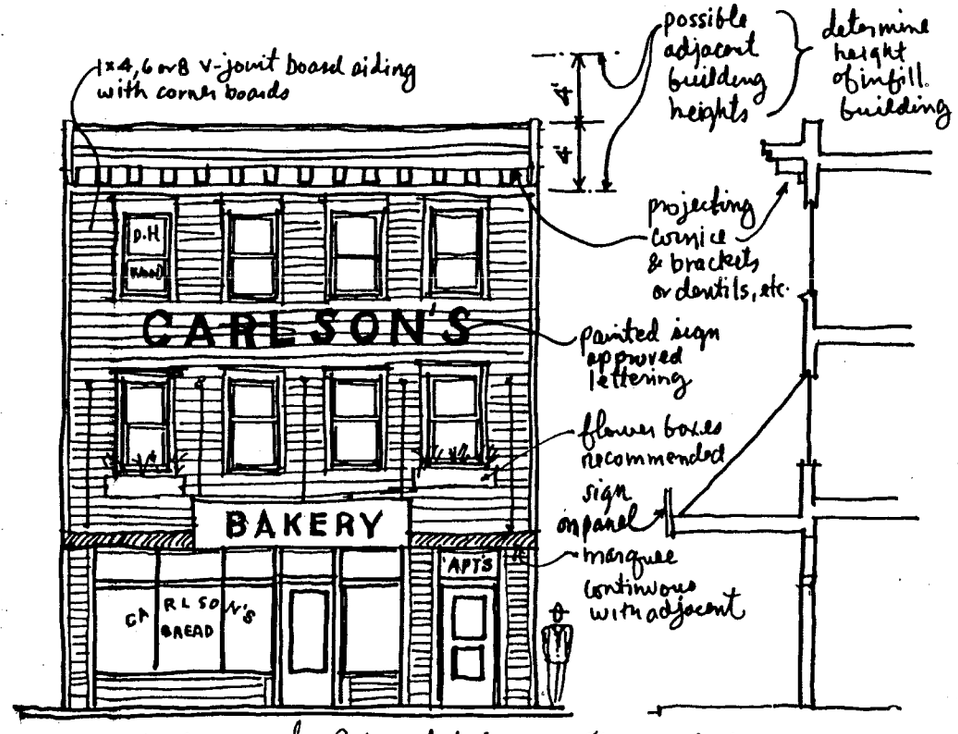
The Secretary of Interior's Standards for Evaluating Structures Within Historic Districts.

'To be eligible for historic preservation certifications, pursuant to the Tax Reform Act of 1976, structures within districts listed in the National Register are reviewed by the Secretary for conformance to the following established "Standards for Evaluating Structures within Historic Districts".

A. A structure contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling, and association adds to the district's sense of time and place and historical development.

B. A structure not contributing to the historic significance of a district is one which detracts from the district's sense of time and place and historical development intrinsically, or when the integrity of the original design or individual architectural features or spaces have been irretrievably lost.

C. Ordinarily structures that have been built within the past 50 years shall not be considered eligible unless a strong justification concerning their historical or architectural merits is given.



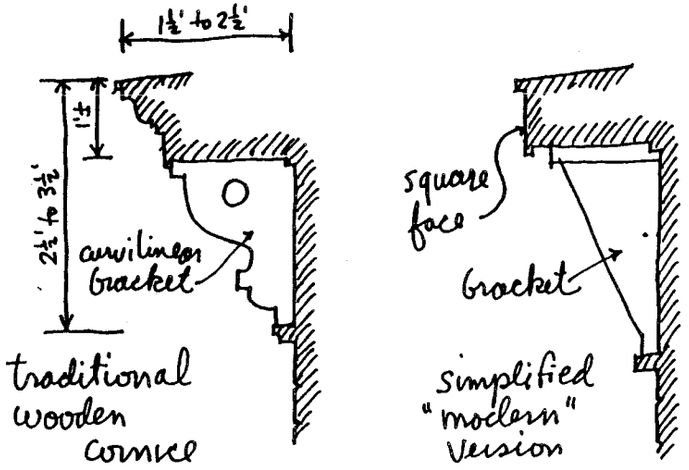
Wood Front Rehabilitation, Three Stories

The Construction Guidelines

Clearly, the Construction Guidelines cannot depart from the general standards in the Ordinance. However, the consultants believe that Juneau has special characteristics not fully foreseen by the Secretary's Standards; characteristics which must be thoughtfully reviewed by Juneau's administrators in developing the Guidelines and by the Alaska Historic Preservation Officer in reviewing their adequacy. The following outline for proposed guidelines is not intended to be final or complete, but is offered as an aid to these efforts.

A. Rationale for Guidelines

1. Historic Juneau is predominantly composed of modest construction, principally wood and some concrete.
2. Most of this construction, particularly in the proposed historic district, was not intended to have a long life and many properties are nearing the time for reinvestment.
3. It is probable that many buildings in the downtown face considerable foundation and soil stability problems.
4. In general, the dominant style of Juneau's historic buildings is anonymous and unpretentious; Juneau's historical vernacular was limited, by available technology to a limited range of elements: clapboard and drop siding; later stucco veneer was added on remodelings; standard size double-hung windows; shingle and composition roofs, etc. In the downtown area, sidewalk canopies, parapet walls and continuous shop fronts are typical.
5. In the downtown area, the street enclosure created by the aggregation of usually small and unpretentious buildings is a bona fide inheritance from Juneau's past, and uniquely contributes as much to the architectural effect of downtown as the individual buildings contribute to the street.
6. Restoration and rehabilitation of designated buildings should adhere as strictly as possible to the precedent of Juneau's historic styles.
7. The visible use of modern, non-historic materials in rehabilitation and new construction must be reasonably limited, although specific exceptions may occasionally be made on a showing of structural necessity and of conformity with the character of a particular building.
8. New construction within designated areas should honor in its design the architectural precedents of historic Juneau including the definable elements of Juneau's historic streetscape.



Suggested Cornice Details

9. Demolition of designated buildings should be permitted only when there is a reasonable showing that a building is irretrievably deteriorated or damaged, and that the cost of restoration would exceed a reasonable percentage of its completed value.

10. Notwithstanding item 9, internal demolition or modifications of designated buildings should be permitted so long as its purpose is to extend the economic life of the building as a whole; so long as demolition or modification does not unnecessarily involve designated interior elements of the building (if any); and so long as the resulting appearance from the street conforms to guidelines for the designated property or district as a whole.

B. Restoration and Rehabilitation

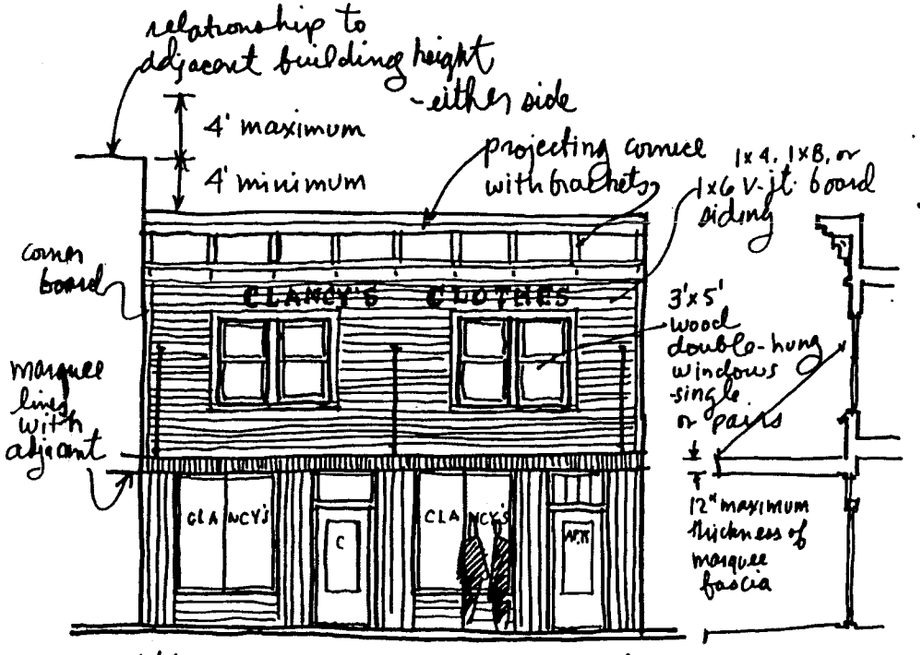
1. Structural repairs and alterations shall be performed so as to preserve the historical outward appearance of the building. In the case of a building having major portions of its historical exterior already removed, structural repairs shall be performed so as not to preclude a future return to its historical design.

2. New materials on exterior walls shall match as closely as possible the original material used on the building, in choice of material, in dimension and in finish. Exception may be made in the case of partial repairs to buildings which were formerly wood siding extensively reclad in stucco.

3. Roofing materials shall generally reflect the original outward appearance of the roof. Exception may be made to install metal roofing where the choice of color and finish is compatible with district guidelines.

4. Windows shall conform in outward appearance to the style and materials of windows in the original building (typically double-hung wood sash in individual or paired openings). New or replaced openings shall be subject to the same guidelines, and new or replacement sash (e.g., insulating sash) shall match as nearly as possible the original dimensions and subdivisions of glazing original to the building.

5. Windows and entrances at sidewalk level and on major streets shall conform as nearly as possible to the original design of the building. In order to preserve the appearance of continuous retail frontages in the downtown district, glazed openings shall generally open directly from the sidewalk to the adjacent commercial space. Exception may be made where owners can show an inability to conform due to unique conditions of the building



Wood Front Infill Building

Concrete or Stucco Front
Rehabilitation or Replacement

such as existing structural conditions or a building historically without openings toward the sidewalk. A proposed change of use (e.g., from retail to storage use) shall not justify an exception, and shall require that a building employ mitigating elements, (e.g., show windows) to satisfy this guideline.

6. Architectural trim elements (e.g., moldings, cornices, columns, pilasters, brackets, etc.) shall be maintained in good repair and not permanently removed from a building. Where substantial replacement is required because of deterioration or repairs, such trim shall be replaced in kind. New trim on buildings that historically can show no precedent is generally unacceptable. Where exceptions are made, they shall be based on suitability to the building itself and shall conform in dimension and detail with precedents found on comparable buildings or within the district.

7. Exterior colors shall be chosen either on the basis of color original to the building or from a range of acceptable colors to be established by the Historical Commission. Exceptions may be granted only with approval by the Historical Commission. The following color standards shall be permitted outright and are to be preferred: All siding, wood trim and windows are to be painted. No natural or stained wood shall be permitted, except that wood doors may be varnished. Building 'body colors' may be as selected by owner, except that it is preferred that this color not be similar to adjacent buildings. Trim colors may be as selected by owner. Body and trim colors shall be one each from the following list:

Body Colors

Yellow	"Golden Brown"	YO279 (B)
Green	"Pineneedle"	G594A (A)
Blue	"Real Blue"	B761M
Purple	"Tulip Purple"	VO48A (A)
Red	"Cranapple"	R132R (B)+
Orange	"Vibrant Orange"	RO195D (B)
Gray	"Steel"	B794P

Trim Colors

White	"Agate Gray"	BG645W
Gray	"Steel"	B794P
Black	"Obsidian"	Y398A (A)

Color numbers refer to Pratt & Lambert calibrated color system.

8. In the downtown district, sidewalk canopies shall be preserved and maintained in good repair. Alterations and new construction shall not result in removal of existing canopies unless such canopies are replaced, either in kind or in a fashion similar to that used by other buildings in the district and acceptable to the Commission.

C. New Construction: Building Additions and Replacement

1. Designated buildings replaced entirely or in part, and new additions to existing designated buildings shall generally conform to the guidelines for the rehabilitation of buildings, by conforming in scale, architectural style, sidewalk level uses, and material with historic precedent in the subject building or in the immediate historic district. The following elements are to be preferred:

   Sidewalk Canopies (marquees): shall be continuous with those of adjacent buildings; not more than 1'-0" in thickness and approximately 9'-0" above the sidewalk.

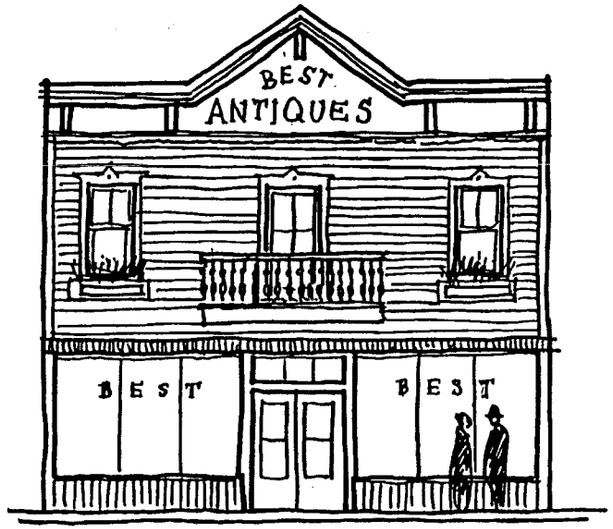
   Siding: shall be horizontal wood siding of 1" x 6" vee-joint drop siding or of beveled siding, and having wood corner boards of 1" x 4" or 1" x 6"; all to be painted finish.

   Exterior Finishes: shall be wood or exposed concrete only.

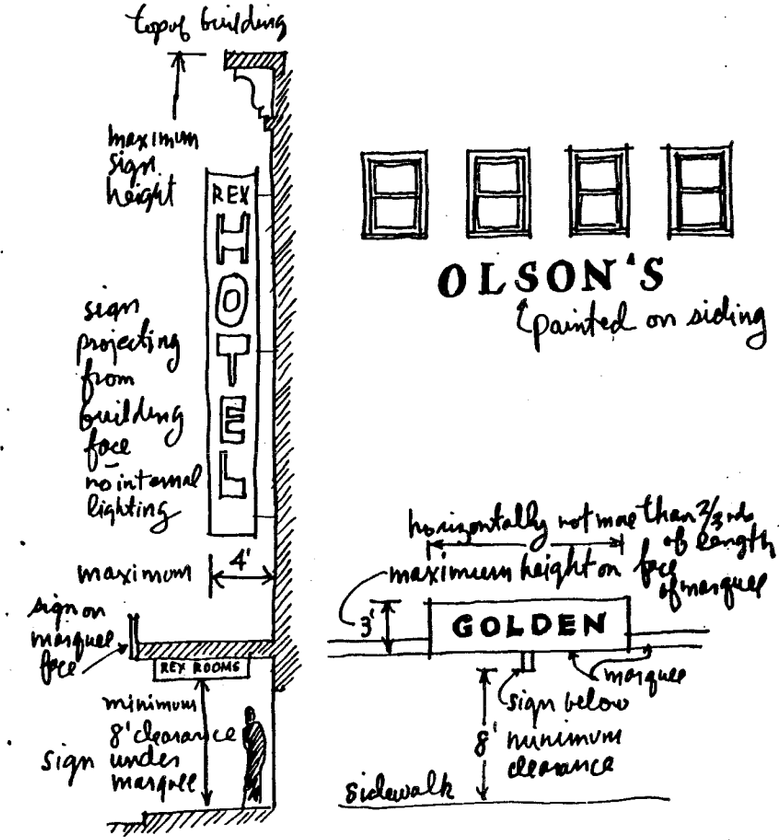
   Projecting Cornices: are to be strongly encouraged, and shall project at least 18", preferably with brackets, and having either a molded or rectangular profile.

   Windows: shall be, or closely match, existing 3 foot x 5 foot sash in the district, arranged singly or in pairs only and not in continuous bands. Bay windows above the street floor are permitted, and shall project no more than 3'-0" from the existing plane of the building. Existing windows may not be covered or filled. Metal windows are not acceptable, unless in the judgment of the Commission, they are found to match in size, proportion, color and detail, the wood sash typical to the historic district. Shop and street front windows shall be plate glass with subdivisions generally no less than 4'-0" in width.

2. New construction in the historic district shall not exceed in height the maximum height of buildings elsewhere in blockfront of the subject property, or no higher than the building it replaces,



Wood Front Infill Building



Sign Controls

whichever is greater, (N.B., see the discussion above under Zoning Modifications).

D. Signage and Street Fixtures

The intent of this section is to recreate the historic character of signs and to develop some continuity with each other as well as the past.

1. Building and business identification signing shall conform to the following. Other locations and materials than those listed are prohibited. Existing non-conforming signs may be replaced only with conforming signs:

   a) In the plane of storefronts, painted signs which may be externally illuminated only.
   b) Beneath sidewalk canopies, signs that are perpendicular to the plane of storefronts, either painted with external illumination or internally illuminated, but in no case shall the bottom of the sign extend below a point eight (8) feet above the finished sidewalk.
   c) Within three (3) feet of the interior surface of glazed openings, internally illuminated signs are not permitted, except for neon signs, which are permitted. Painted and carved signs are permitted.
   d) Projected signs on building fronts, shall project no farther than four (4) feet from the front plane of the building. On principal streets above sidewalk canopies, such signs shall be stationary; may extend the full height of the building above the canopy; and may be one of three kinds: externally illuminated, neon, or internally illuminated, but the latter only as to lettering and symbols (the 'field' surrounding lettering and symbols may not be internally illuminated). On side streets and alleys, without canopies, the same shall apply, except the projecting signs may not extend below fourteen (14) feet above the finished sidewalk or roadway surface directly below.
   e) On the face of buildings, signs may be fixed directly to the building. Externally illuminated, neon or internally illuminated letters and symbols (only) are permitted. Painted messages and artwork directly on building walls shall first be approved as to appropriateness of style and subject matter by the Historical Commission.
   f) Signs within or fixed to canopy edges shall not be internally illuminated and shall not extend past the bottom or one (1) foot above the top of the canopy fascia.

ANTIQUE OLIVE BOLD

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$()«»:;

ANTIQUE OLIVE SEMIBOLD

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$();«»:

CENTURY SCHOOLBOOK
BOLD

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$«»;

COOPER BLACK

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$()«»

EGYPTIENNE
BOLD CONDENSED

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$()«»

HELVETICA MEDIUM

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$«»;

WINDSOR BOLD

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$()«»:

ZIPPER

abcdefghijklmnopqrstuvwxyz
ABCDEFGHIJKLMNOPQRSTUVWXYZ
1234567890&?!ß£$()«»

2. Signs identifying buildings or principal uses within buildings should be of the stationary kind applied to the surface of the building, with or without external illumination, and such signs shall be preferred to any alternative.

3. Off-premise signs are not permitted.

4. Where City ordinances governing sign locations and construction are more restrictive, such ordinances shall govern.

5. Street clocks, either free standing or affixed to the exterior of buildings, are permitted, except that such permission shall not include clocks of the digital type and shall not be construed to include signs otherwise prohibited herein where combined with clocks.

6. Lettering style and symbols shall be appropriate to the building's style and shall generally be simple in outline and execution. Use of graphic styles for 'picturesque' purposes, when such styles have no historic precedent in Juneau, shall generally be prohibited. The following letter faces shall be permitted outright. Exceptions shall be permitted only with Commission approval.

   The following typefaces only are recommended for exterior signs:

for sans serif -	Antique Olive Semibold or Bold p.22 Helvetica p.82-88
for serif -	Century Schoolbook Bold p.44 Cooper Black p.56 Windsor Bold p.128
For decorative - or antique	Egyptienne Bold p.62 Zipper p.130

   Bold or semibold typefaces are preferred although medium or light is acceptable where considered appropriate. Page references are to the Letraset Reference Manual, 1981 Edition.

E. Demolition

1. Internal portions or buildings not specifically designated to be preserved in the ordinance or designation may be demolished.

2. Structures not identified in ordinances designated a district or building as significant and to be preserved may be demolished.

3. Portions of designated buildings which are damaged, deteriorated or unsafe may be demolished when the purpose is to replace in kind or with historically appropriate construction, as determined by the Historical Commission.

4. A building, 60% or more of which is irreparably damaged by fire or natural causes, or is irreversably threatened by structural deterioration due to natural causes only, may be demolished. When less than 60% of such building is damaged or threatened, the Historical Commission may require any replacment to be in kind.

5. Demolition of any property or structure designated as significant and to be preserved shall be permitted only when its owner has demonstrated that either of the following conditions are present:

   a) more than 60% of the value of the property or structure is irreparably damaged by fire or natural causes, said 60% to be 60% of the established total cost of replacement in kind; or

   b) preservation of the property denies its owner a reasonable economic use of the property, based on comparable economic uses of designated properties having similar uses and structural characteristics. When the property lies within a designated historic district, comparable sites shall be understood to be similar properties within that district.

6. The Historical Commission or the Assembly may grant permission for demolition only in part, or deny permission for demolition outright, based on a determination that,

   a) demolition only in part is sufficient to preserve an owner's ability to realize a reasonable economic return on his property, or

   b) the City and Borough of Juneau declares itself willing within a reasonable time to compensate the owner for the difference between the existing economic use of the property and a reasonable economic use of that property; such compensation being understood to include the value to said property of public improvements and public policies in the immediate vicinity of the property; direct grants or loans that are or may be made available to preserve the property; or the purchase of a public interest in a portion of the property; or

   c) the City and Borough of Juneau declares itself willing within a reasonable time to purchase the property outright in the public interest to preserve the property.

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- 09.55, limiting taking of certain properties for public use
- 29.10, allowing tax exemptions for historic properties
- 29.15, allowing for maintaining historic properties
- 29.20, allowing for local maintenance of historic properties
- 29.33, allowing local zoning exemptions for historic properties
- 29.35, allowing zoning exemptions for historic properties
- 29.48, regarding creation of historic districts and historic district commissions; allowing devotion of municipal facilities and services for historic preservation purposes; allowing building code exceptions for historic properties
- 29.53, allowing tax exemptions for historic properties
- 41.22, establishing the Historic Properties Development Fund
- 41.35, creating the Alaska Historic Preservation Act
- 44.37, defining the historic preservation duties of the Alaska Department of Natural Resources.
- 45.98, establishing the Historic District Revolving Loan Fund

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*These publications are reproduced in the Appendix to the study.

Credits

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