



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION	
	Physical Address 312 6th Street	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite BL 27 LT 2 FR	
	Parcel Number(s) 1C040A270020	
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which N/A	
	LANDOWNER/ LESSEE	
	Property Owner Bridget LaPenter; Jake LaPenter	Contact Person Bridget LaPenter
	Mailing Address 320 W 6th St, Juneau, AK 99801	Phone Number(s) (907) 500-4170 Bridget (907) 500-4148 Jake
	E-mail Address bridget.lapenter@gmail.com; modernalaskabuilders@gmail.com	
	LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.		
Bridget LaPenter <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X <u>[Signature]</u> <u>12-25-22</u> Landowner/Lessee (Signature) Date		
Jake LaPenter <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X _____ Landowner/Lessee (Signature) Date		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.		
APPLICANT If same as LANDOWNER, write "SAME"		
Applicant (Printed Name) SAME	Contact Person	
Mailing Address	Phone Number(s)	
E-mail Address		
X <u>[Signature]</u> <u>1-10-23</u> Applicant's Signature Date of Application		

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

Intake Initials

JLS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number

USE 23-005

Date Received

3-20-23



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY Addition of a one bedroom, one bath apartment under 600 sq ft to the basement of the house located at 312 6th Street in Downtown Juneau.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED
 Accessory Apartment – Accessory Apartment Application (AAP)
 Use Listed in 49.25.300 – Table of Permissible Uses (USE) 1.130 Single-family detached, accessory apartments
 Table of Permissible Uses Category: 1.911 Accessory Apartments

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? YES – Case # _____ **NO**

UTILITIES PROPOSED WATER: Public On Site SEWER: Public On Site

SITE AND BUILDING SPECIFICS
 Total Area of Lot 1,696 square feet Total Area of Existing Structure(s) 1118 square feet
 Total Area of Proposed Structure(s) 383 square feet **WITHIN EXISTING FOOTPRINT!**

EXTERNAL LIGHTING
 Existing to remain No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED *If this is a modification or extension include:*

Narrative including:
 Current use of land or building(s)
 Description of project, project site, circulation, traffic etc.
 Proposed use of land or building(s)
 How the proposed use complies with the Comprehensive Plan

Plans including:
 Site plan
 Floor plan(s)
 Elevation view of existing and proposed buildings
 Proposed vegetative cover
 Existing and proposed parking areas and proposed traffic circulation
 Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

Notice of Decision and case number
 Justification for the modification or extension
 Application submitted at least 30 days before expiration date

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt
Application Fees	\$ <u>350.00</u>		
Admn. of Guarantee	\$ <u>—</u>		
Adjustment	\$ <u>—</u>		
Pub. Not. Sign Fee	\$ <u>50.00</u>		
Pub. Not. Sign Deposit	\$ <u>100.00</u>		
Total Fee	\$ <u>500.00</u>		

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number <u>USE23-005</u>	Date Received <u>3-20-23</u>
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Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Bridget and Jake LaPenter
312 6th Street, Juneau, AK
Parcel No. 1C040A270020

PROJECT NARRATIVE – ACCESSORY APARTMENT

Overview. The subject property is a 1,118 sq ft, (3) bedroom, (1) full-bath single family home in downtown Juneau, Alaska undergoing renovations to become a (4) bedroom, (3) bath single family home. The landowners are seeking to upgrade the unfinished basement into a (1) bedroom, (1) bath accessory apartment within the footprint of the existing home. Once complete, the basement will offer an additional dwelling unit just under 400 sq ft with (1) bedroom, 3/4-bath and kitchenette.

Current use. The current use of the property is as a single family detached residential dwelling.

Project description. Project is located at 312 6th Street in Downtown Juneau. The property is located above a CBJ-owned retaining wall and is accessed by a private staircase.

Proposed use. The home will remain a single family detached residence with an accessory apartment to be rented for residential use.

Lot Size. The lot size is non-conforming.

Parking. There is no parking on site. Parking is available on 6th Street and surrounding streets on a first come, first served basis. No new parking spaces will be added.

Comprehensive Plan compliance. This project complies with the Comprehensive Plan (Chapter 4 Housing Element) by adding one additional housing unit.

Permit drawing set for 312 6th Street, Juneau, Alaska
Parcel 1C040A270020

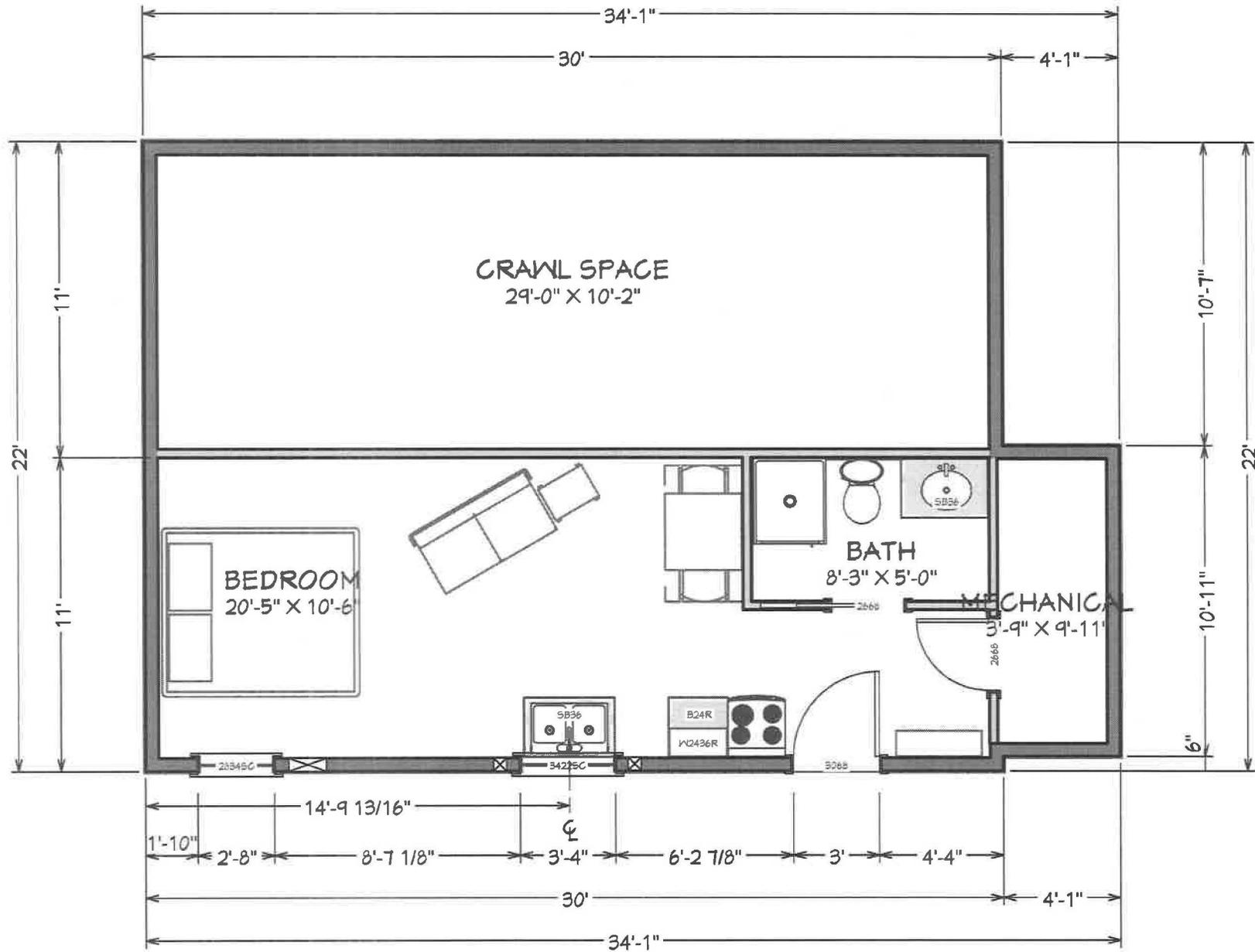
Submitted 10/15/2022

General Notes:

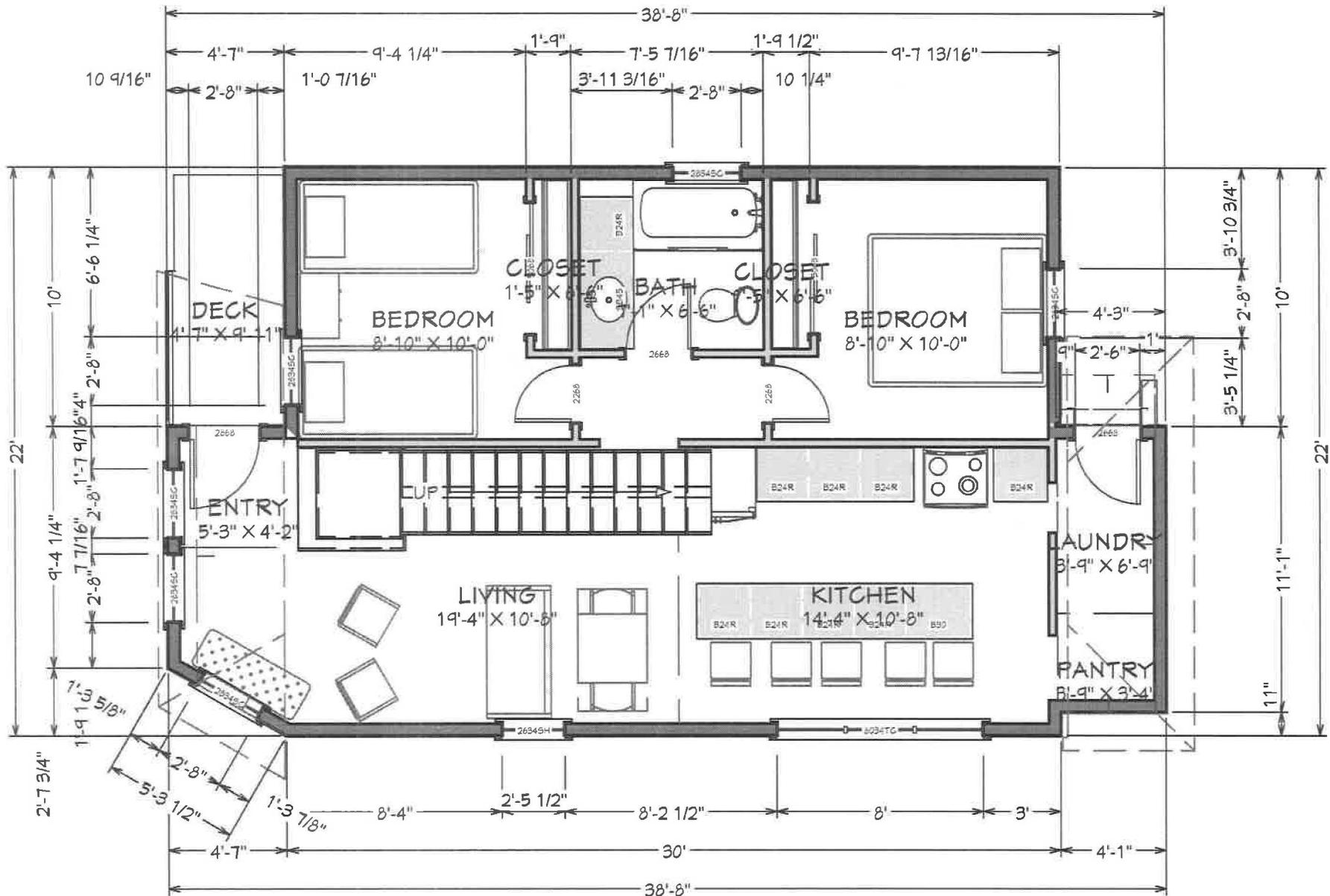
1. Dimensions approximate. Field verify.
2. All bedrooms to have egress windows.
3. Kitchen exhaust fans 100 CFM min in both main house and basement apartment.
4. Bathroom exhaust fans 50 CFM min in both main house and basement apartment.
5. Smoke and CO detectors installed per code.
6. Staircase designed and built to code.

For additional questions, please contact:

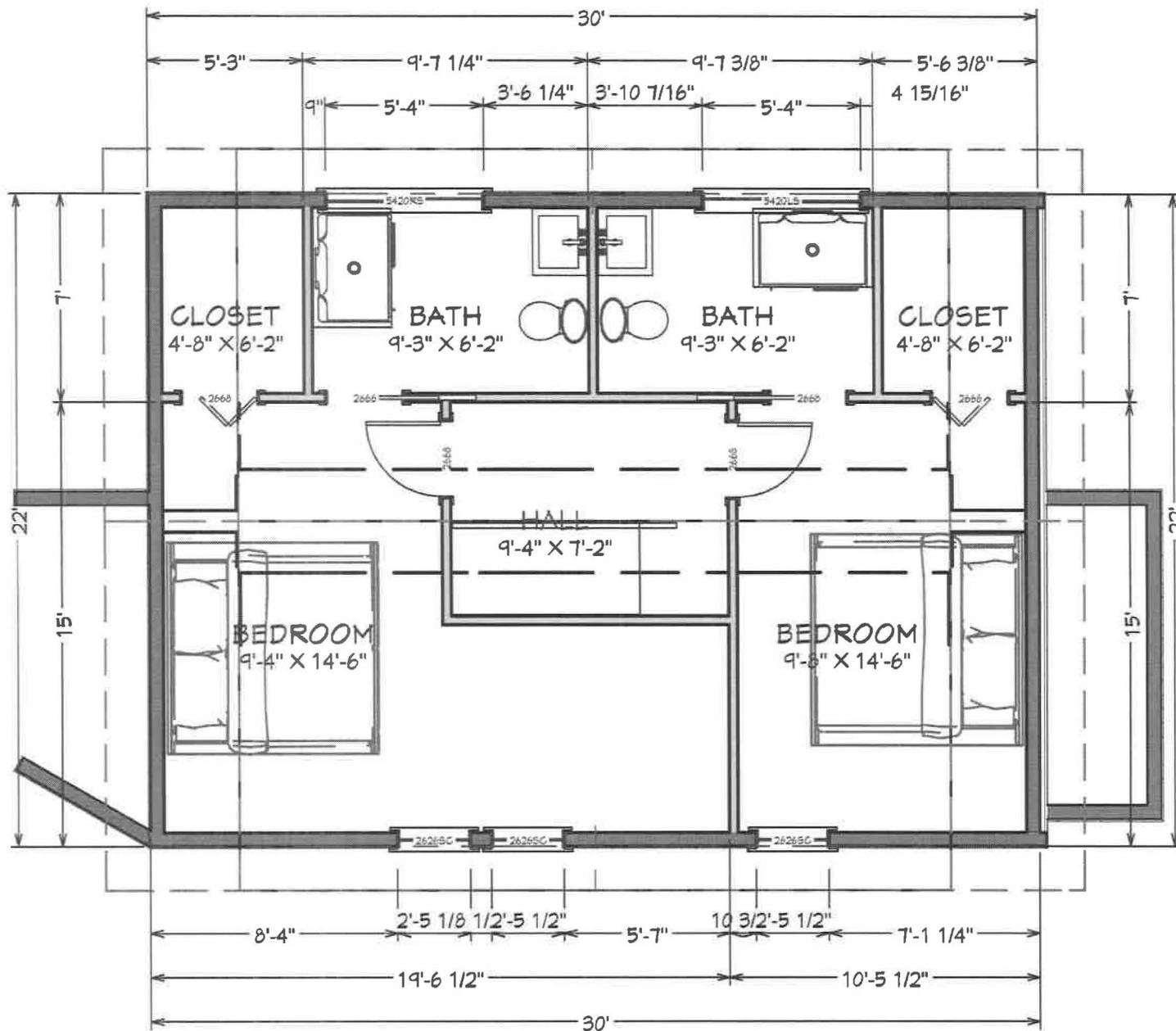
Bridget LaPenter, P.E.
320 W 8th Street, Juneau, AK 99801
bridget.lapenter@gmail.com
(907) 500-4170



APARTMENT
383 SQ FT



MAIN FLOOR
 757 SQ FT



SECOND FLOOR
660 SQ FT

PITCH SINGLE WALL SCONCE



An architectural profile reminiscent of beautifully classic roof lines delivers significant light output in this modern LED wall sconce suitable for both indoor and outdoor applications. The Pitch Single's die-cast metal body houses powerful LED light sources that create visual appeal as light cascades down along a wall.

High quality LM80-tested LEDs
for consistent long-life performance and color

- Outstanding protection against the elements:**
- Marine-grade powder coat finishes
 - Stainless Steel mounting hardware
 - Impact-resistant, UV stabilized frosted acrylic lensing

Can be mounted for up lighting or down lighting

SPECIFICATIONS

DELIVERED LUMENS	823
WATTS	26.1
VOLTAGE	120V, 277V
DIMMING	ELV
LIGHT DISTRIBUTION	Symmetric
MOUNTING OPTIONS	Downlight or Uplight
CCT	2700K, 3000K
CRI	80+
COLOR BINNING	3 Step
BUG RATING	B1-U0-G0
DARK SKY	Compliant (Downlight)
WET LISTED	IP65
GENERAL LISTING	ETL
CALIFORNIA TITLE 24	Can be used to comply with CEC 2016 Title 24 Part 6 for outdoor use. Registration with CEC Appliance Database not required.
START TEMP	-30°C
FIELD SERVICEABLE LED	No
CONSTRUCTION	Aluminum
HARDWARE	Stainless Steel
FINISH	Marine Grade Powder Coat
LED LIFETIME	L70; 70,000 Hours
WARRANTY*	5 Years
WEIGHT	1.2 lbs.



PITCH SINGLE
shown in black



PITCH SINGLE
shown in bronze



PITCH SINGLE
shown in charcoal



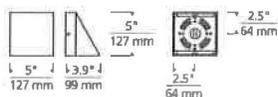
PITCH SINGLE
shown in silver

* Visit techlighting.com for specific warranty limitations and details.

ORDERING INFORMATION

700WSPIT	SIZE	FINISH	LAMP
S	SINGLE	B BLACK	-LED827 LED 80 CRI, 2700K 120V
		Z BRONZE	-LED827277 LED 80 CRI, 2700K 277V
		H CHARCOAL	-LED830 LED 80 CRI, 3000K 120V
		I SILVER	-LED830277 LED 80 CRI, 3000K 277V

PITCH SINGLE WALL SCONCE



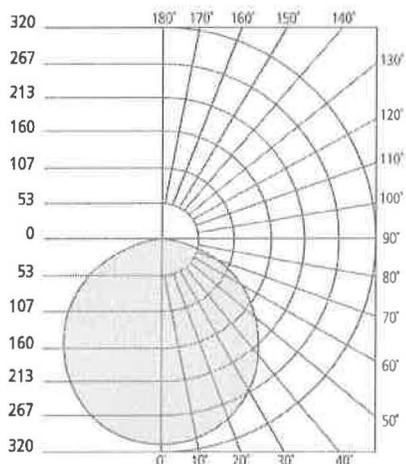
Pitch Single

PHOTOMETRICS*

*For latest photometrics, please visit www.techlighting.com/OUTDOOR

PITCH SINGLE

- Total Lumen Output: 823
- Total Power: 26.2
- Luminaire Efficacy: 31.4
- Color Temp: 3000K
- CRI: 80+
- BUG Rating: B1-U0-G0



PROJECT INFO

FIXTURE TYPE & QUANTITY

JOB NAME & INFO

NOTES



GENERATION BRANDS
7400 Linder Avenue, Skokie, Illinois 60077
T 847.410.4400 F 847.410.4500



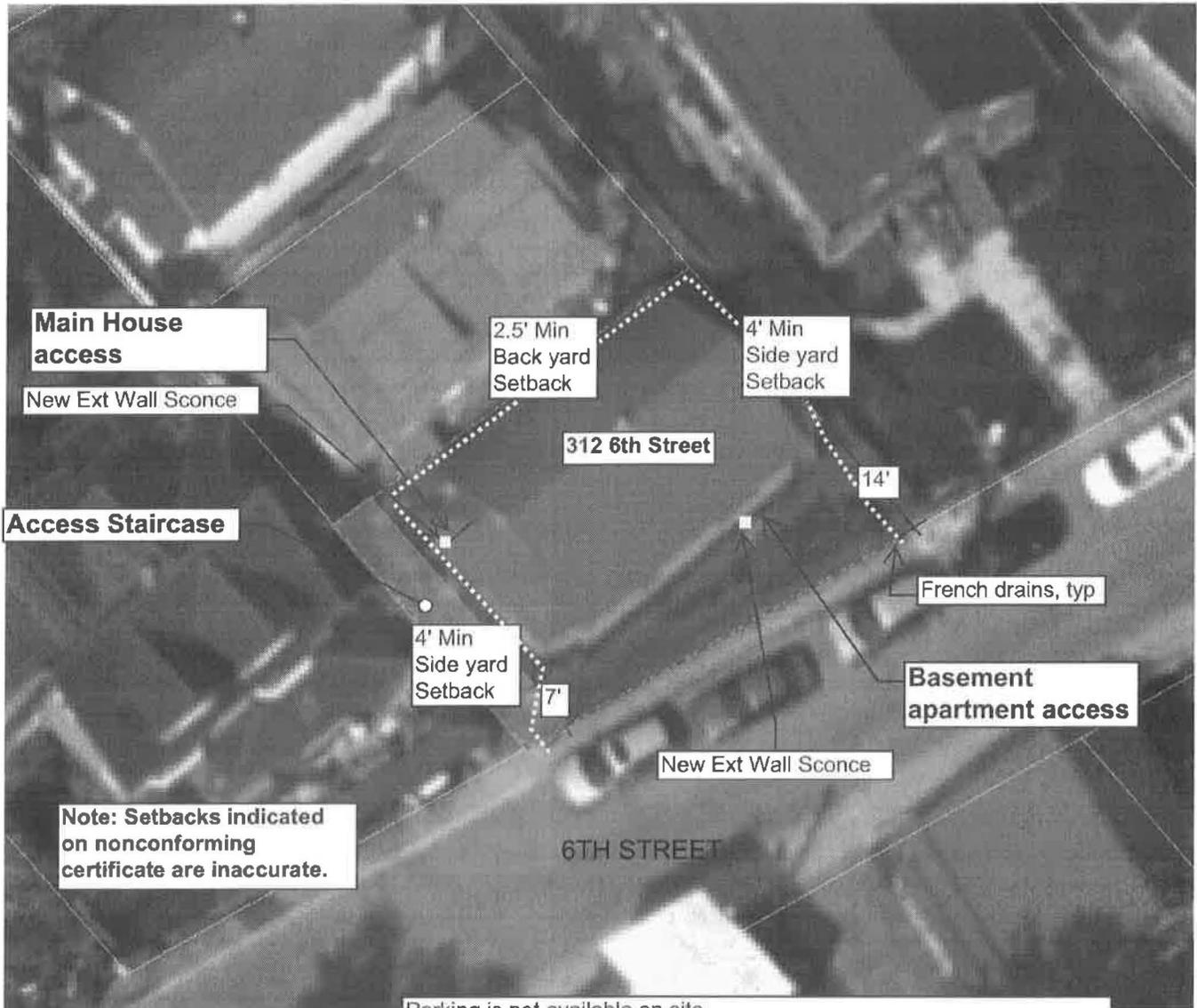
© 2016 Tech Lighting, L.L.C. All rights reserved. The "Tech Lighting" graphic is a registered trademark of Tech Lighting, L.L.C. Tech Lighting reserves the right to change specifications for product improvements without notification.

Site Plan

312 6th Street, Juneau, Alaska

Parcel No. 1C040A270020

On site parking: None.



Parking is not available on site.
No proposed parking.
Vegetative cover limited to potted plants.
French drains have been added around the perimeter of the foundation.
Gutters to tie into French drains.
No known hazard areas.
No known wildlife habitat.

Please contact:
Bridget LaPenter (907) 500-4170
or
Jake LaPenter (907) 500-4148

With questions.

Existing Elevation

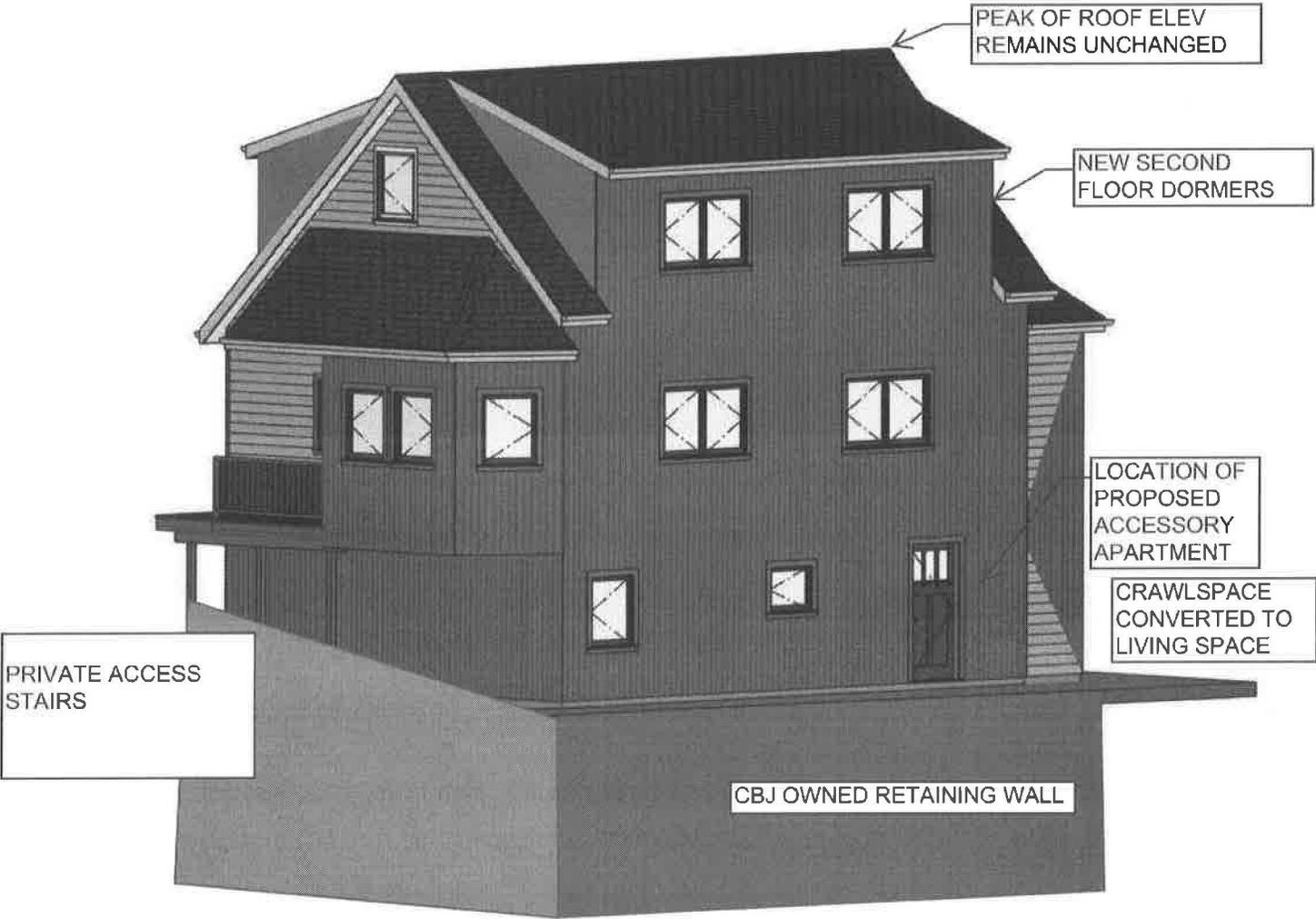
312 6th Street, Juneau, Alaska
Parcel No. 1C040A270020
On site parking: None.



EXISTING ELEVATION

Location of new
accessory apartment.

PROPOSED ELEVATION
312 6TH STREET, JUNEAU, ALASKA
PARCEL NO. 1C040A270020



PROPOSED ELEVATION



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

LaPenter Accessory Apartment Conditional Use Permit

Case Number: PAC2022 0060

Applicant: Jake and Bridget LaPenter

Property Owner: Jake and Bridget LaPenter

Property Address: 312 Sixth Street

Parcel Code Number: 1C040A270020

Site Size: 1,696 square feet

Zoning: D18 (Multifamily Residential)

Existing Land Use: Residential

Conference Date: December 21, 2022

Report Issued: December 23, 2022

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Bridget LaPenter	Applicant	Bridget_LaPenter@gmail.com
Jake LaPenter	Applicant	ModernAlaskaBuilders@gmail.com
Alec Venechuk	General Engineering	Alec.Venechuk@juneau.gov
Jennifer Shields	Planner II	Jennifer.Shields@juneau.gov
Emily Suarez	Planner II	Emily.Suarez@juneau.gov
Sydney Hawkins	Permit Tech II	Sydney.Hawkins@juneau.gov

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Project Overview

The property is zoned D18 (multifamily residential) and the applicant would like to construct a 383 square foot accessory apartment in the basement of a single-family dwelling unit.

Use

- Per CBJ 49.25.510(k)(2)(G)(ii): *"Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts. The commission may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met: (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the primary use of the lot is a single-family dwelling."*
- **Conditional Use Permit Application required.**

Lot Size

- Per CBJ 49.25.400, the minimum lot size required in the D18 Zoning District is 5,000 square feet.
- The lot is 1,696 square feet.
- Per CBJ 49.30.260(a), *"A property owner of a nonconforming lot has the same development rights as a property owner of a conforming lot, provided the owner first obtains nonconforming certification pursuant to section 49.30.310."*
- On September 17, 2021 a Nonconforming Certificate was issued identifying the lot size as nonconforming (see attached).
- Per CBJ 49.25.510(k)(2)(E)(ii), *"The commission may approve, with a conditional use permit, a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:(a)The application is for an efficiency or one-bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size."*
- **Conditional Use Permit Application required (can be same application as code section listed above).**

Planning Division

1. **Zoning** – The property is zoned D18 (Multifamily Residential).
2. **Subdivision** – N/A
3. **Setbacks** – N/A (nonconforming front, rear, and east side per NCC2021-0066)
4. **Height** – N/A
5. **Access** – N/A
6. **Parking & Circulation** – Per CBJ 49.40.210, the accessory apartment would require one additional parking space on the property. The property currently has zero nonconforming parking spaces per NCC2021-0066. The lot size and topography is a constraint. Per CBJ 49.40.220, a **Parking Waiver Application for the addition of an accessory apartment will be required** (see attached code).
7. **Lot Coverage** – N/A (nonconforming at 67% per NCC2021-0066)
8. **Vegetative Coverage** – N/A

9. **Lighting** – N/A
10. **Noise** – N/A
11. **Flood** – N/A
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
13. **Wetlands** – N/A
14. **Habitat** – No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – N/A
16. **Traffic** – N/A
17. **Nonconforming situations** – A Nonconforming Certificate for the property was issued on September 17, 2021 (NCC2021-0066).

Building Division

18. **Building** – A building permit will be required for the accessory apartment. Submittal requirements will be determined during the permitting process.
19. **Outstanding Permits** –
 - a. **BLD20220746** – “Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space”

General Engineering/Public Works

20. **Engineering** – N/A
21. **Drainage** – N/A
22. **Utilities** – No comments at this time.

Fire Marshal

23. **Fire Items/Access** – N/A

Other Applicable Agency Review

24. N/A

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application (one for each of the applications listed below)
2. Conditional Use Permit Application
3. Parking Waiver Application (**submit concurrently with the Conditional Use Permit Application**)

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85. Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Development Permit Application: N/A
2. Conditional Use Permit (USE): \$350
3. Public Notice Sign: \$150 (with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting).
4. Parking Waiver (PWP): \$320 (reduced due to major development)

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

- CBJ 49.15.330 Conditional Use Permits
- CBJ 49.40.220 Parking Waivers
- Development Permit Application (DPA)
- Conditional Use Permit Application (USE)
- Parking Waiver Application (PWP)

49.15.330 - Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
- (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with [section 49.15.230](#).
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)—(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*
- (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;
 - (B) Whether the application is complete; and
 - (C) Whether the development as proposed will comply with the other requirements of this title.
 - (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
- (1) Materially endanger the public health or safety;
 - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
- (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a

special district may be required for the purpose of holding or maintaining common property.

- (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
- (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
- (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
- (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
- (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
- (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
- (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:
 - (A) Developments in wetlands and intertidal areas.
- (11) *Sound.* Conditions may be imposed to discourage production of more than 65 dBA at the property line during the day or 55 dBA at night.
- (12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions.* Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018)

49.40.220 - Parking reductions.

A parking reduction reduces the required off-street parking spaces for a development. A developer may apply for one or more parking reductions. Accessible parking spaces must not be reduced and must be provided in accordance with subsection [49.40.210\(b\)](#). Loading spaces must not be reduced and must be provided in accordance with subsection [49.40.210\(c\)](#).

- (a) *Parking waivers.* The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met.
- (1) *Standards.* Any waiver granted under this section must be in writing and must include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:
 - (A) The effect of granting a waiver would result in more benefits than detriments to the neighboring area and community as a whole as identified by the comprehensive plan; and
 - (B) The effect of granting a waiver will not materially endanger public health, safety, or welfare.
 - (2) *Relevant information.* The following information may be relevant for the director or commission's review:
 - (A) Analysis or data relevant to the intended use and related parking demands.
 - (B) Provision for alternative transportation.
 - (C) Traffic mitigation measures supported by industry standards.
 - (D) Bicycle and pedestrian amenities.
 - (3) *Applications.* Applications for parking waivers must be on a form specified by the director and must be accompanied by a one-time fee as provided in [chapter 49.85](#).
 - (4) *Public notice.* The director must mail notice of any complete parking waiver application to the owners of record of property located within a 250-foot radius of the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications should be made concurrently in accordance with [CBJ 49.15.230](#).
 - (5) *Expiration.* An approved parking waiver expires upon a change in use.
- (b) *Town center parking area, fee-in-lieu of off-street parking spaces.* In the town center parking area, a developer may pay a one-time fee in lieu of providing off-street parking spaces to satisfy the minimum parking requirements of this chapter. Fee in lieu can be used in any combination with other parking provisions of this chapter. Any fee in lieu due must be paid in full prior to the issuance of a temporary certificate of occupancy.

([Serial No. 2022-04\(b\)](#), § 2, 4-25-2022, eff. 5-26-2022)