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 155 S. Seward Street • Juneau, AK 99801

## Ridgeview Subdivision - reorientation and first phase

Case Number: PAC2022 0023

Applicant: Brandon Gray

Property Owner: Rooftop Properties LLC

Property Address: 7400 Glacier Highway

Parcel Code Number: 5B1401010010

Site Size: 858,568 Square Feet, 19.71 acres

Legal Description: USS 1568 Tract B1

Zoning: D18

Existing Land Use: Vacant

Conference Date: May 4, 2022

Report Issued: May 17, 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
Brandon Gray	Applicant	<a href="mailto:Brandon@pci1980.com">Brandon@pci1980.com</a>
Garrett Johnson	Partner	<a href="mailto:Garrett@pci1980.com">Garrett@pci1980.com</a>
Toby Lockhart	Homeshore Engineering LLC	<a href="mailto:Toby@homeshorellc.com">Toby@homeshorellc.com</a>
John Bean	Surveyor	<a href="mailto:JwBean@gci.net">JwBean@gci.net</a>
Irene Gallion	Planning	<a href="mailto:Irene.Gallion@juneau.org">Irene.Gallion@juneau.org</a>
David Peterson		<a href="mailto:David.Peterson@juneau.org">David.Peterson@juneau.org</a>
Jill Maclean	Community Development Director	<a href="mailto:Jill.Maclean@juneau.org">Jill.Maclean@juneau.org</a>
Scott Ciambor	Planning Manager	<a href="mailto:Scott.Ciambor@juneau.org">Scott.Ciambor@juneau.org</a>
Dan Jager	CCFR Fire Marshall	<a href="mailto:Dan.Jager@juneau.org">Dan.Jager@juneau.org</a>
Ken Hoganson	General Engineering	<a href="mailto:Ken.Hoganson@juneau.org">Ken.Hoganson@juneau.org</a>
Sydney Hawkins	Permit Technician II	<a href="mailto:Sydney.Hawkins@juneau.org">Sydney.Hawkins@juneau.org</a>

## 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.

In your narrative you say 12-16-plex, on the site plan it is a 24-plex. Have you decided?  
How many 1, 2, and 3 bedroom units in the 24-plex?

What density provisions are you hoping to take advantage of?

Is Seymour Way intended to be a ROW at some point?

Take me through your math on the density bonus, I get 443 units available.

For the entire development, you come up with 515 parking spaces required, I come up with 612. Difference?

### Project Overview

(Provide a brief description of the proposed project. *Note to Planners: be aware if there have been any previous PACs for this applicant or site.*)

The Applicant would like to:

- Develop a 12-24 unit structure on the lot. The applicant estimates 1/3 each of studios, one-bedroom and two-bedroom units.
- Stage for further development of the lot.

Note that Seymour Way does not exist. The preliminary plat that proposed Seymour Way was not finalized. Before that, there were two other subdivision proposals, both of which were withdrawn.

A multi-family development is a permissible stand-alone use for this lot [19.25.300 Paragraph 1.300] that would require a conditional use permit.

The size of the lot will beg the question of subsequent development. The applicant proposes an Alternative Residential Subdivision. This process will be time-consuming and will push development to late in the summer at the earliest, and more likely next construction season.

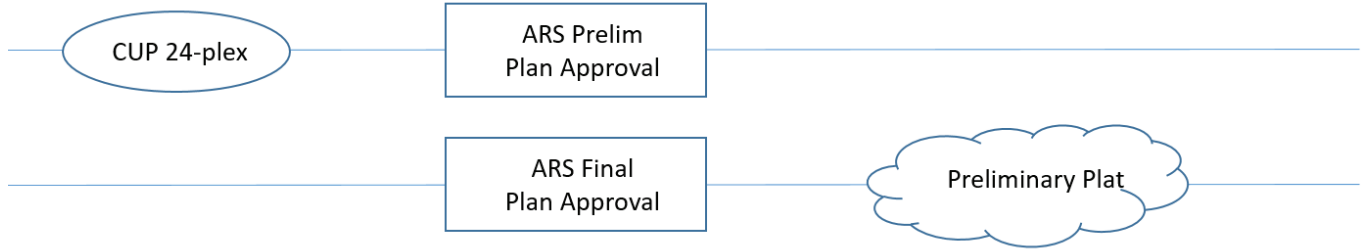
The applicant's goals will determine the best way forward. CBJ 49.15.960 will be key to this strategy:

*An applicant may develop an alternative residential subdivision in phases, provided the initial application includes a preliminary development plan sufficient to assess the cumulative effects of the entire alternative residential subdivision on the neighborhood and the environment according to the standards in subsection 49.15.940.*

If the applicant would like to:

- Construct a 24-plex this season, AND
- Use features of the 24-plex in density bonus (for instance, if the 24-plex has workforce housing provisions),

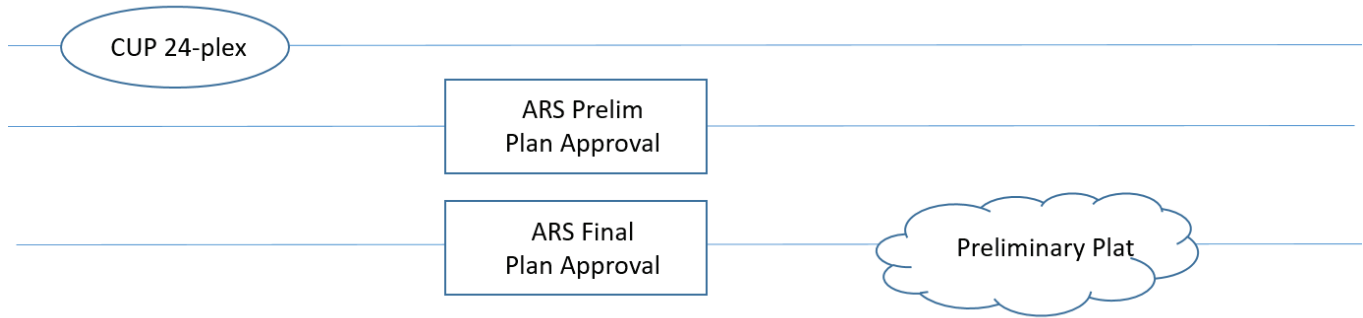
THEN the applicant should apply for a Conditional Use Permit and for an ARS Preliminary Plan Approval at the same time.



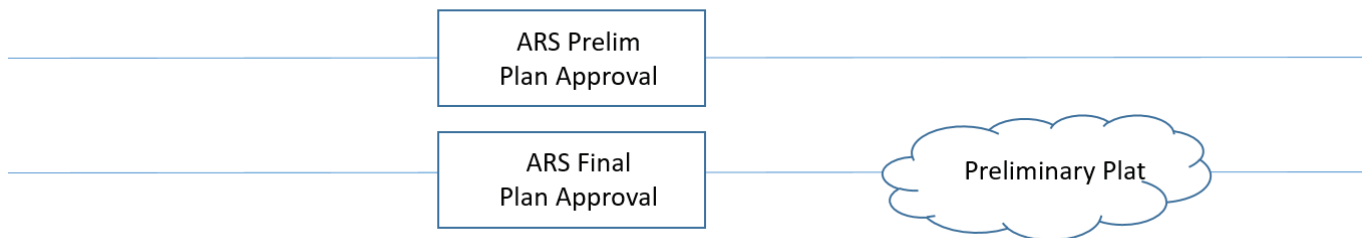
If the applicant would like to:

- Construct a 24-plex this season, BUT
- DOES NOT require features of the 24-plex to meet density bonuses,

THEN a stand-alone Conditional Use Permit for the development can be applied for. An ARS Preliminary Plan Approval can be applied for concurrently or later.



If the applicant can wait to construct until next season, the ARS process can be pursued without a Conditional Use Permit for the 24-plex. The goal would be to complete the process before next construction season.



### Planning Division

1. **Zoning** – D18.

An ARS is allowed in D18 [CBJ 49.15.920(b)]

2. **Subdivision** – Minimum lot size is 5,000 square feet. To develop an ARS, the lot must be at least 150 percent minimum lot size [CBJ 49.15.920(c)]. USS 1568 Tract B1 meets this requirement.

- 3. **Setbacks** – The lot is a D18 island that abuts D5 land on all sides except the frontage. Where one district abuts another, the greater of the two setbacks is required.
  - a. **Front:** 20 feet
  - b. Rear: 20 feet (D5 setback)
  - c. Side: 5 feet (same for D5 and D18)
  - d. Street side: 13 feet (same for D5 and D18)
  - e. Under an ARS, dimensional standards are applied to the parent lot rather than to unit lots [CBJ 49.15.920(D)].

- 4. **Density** – The lot is 19.71 acres, and can accommodate 355 units. The applicant suggests they could get a 25 percent density bonus under ARS code [CBJ 49.15.520(e)(3)] for a total of 444 units. Applicant is proposing 454 units.

$$19.71 \text{ acres} \times 18 \text{ units/acre} = 355 \text{ units}$$

$$355 \text{ units} \times 0.25 = 89 \text{ units}$$

$$355 \text{ units} + 89 \text{ units} = 444 \text{ units}$$

*Open space* means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or in the same neighborhood as such open space.

ARS code says there is a bonus of five percent for each ten percent increment of open space in excess of that required in the zoning district to a maximum bonus of 15 percent for open space in excess of that required.

858,568 square feet total

**5% density bonus for 85,857 square feet, or 1.97 acres, of open space**

**10% density bonus for 171,714 square feet, or 3.94 acres, of open space**

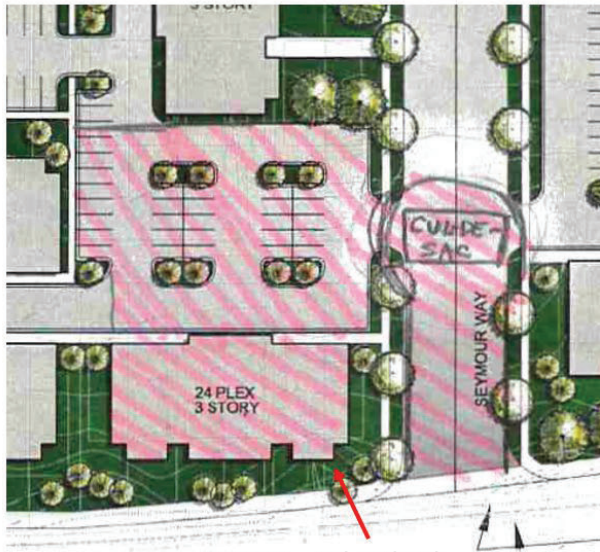
**15% density bonus for 257,571 square feet, or 5.91 acres, of open space**

- 5. **Height** – 35 feet for permissible uses, 25 feet for accessory uses.
- 6. **Access** – Access is proposed from Glacier Highway, classified as a Collector under Ordinance 2013-9.

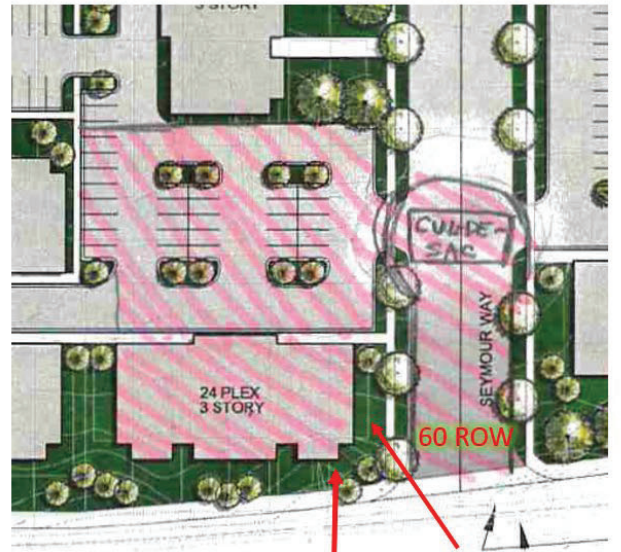
Under subsequent ARS subdivision, the access can be either a driveway managed by the homeowners association, or a right-of-way given to the CBJ [CBJ 49.15.920(f)].

Keep in mind that if the intent is to subdivide and create a right-of-way, the proposed multi-family structure will need to meet front yard setbacks from both the Glacier Highway and the eventual right-of-way.

Below, the image on the left shows structure setbacks for the multi-family structure that will be built before subdivision. The image on the right shows the setbacks that the structure will need to have in order to create and dedicate a right-of-way access to the ARS.



FRONT = 20' setback



FRONT = 20' setback

STREET SIDE YARD = 13'

A secondary emergency access may be required, depending on CCFR evaluation. Consider that other subdivisions have provided an emergency access that was not built to right-of-way standards, which may be an option.

7. **Parking & Circulation** – Revisions to the parking code will go into effect on May 25, 2022.

For a 24-plex, 28 parking spaces will be required:

Unit Bedrooms	# of Units	Per Bedroom	Total
<b>12 UNITS</b>			<b>14</b>
Studio	4	1	4
One	4	1	4
Two	4	1.5	6
<b>16 UNITS</b>			<b>19</b>
Studio	6	1	6
One	5	1	5
Two	5	1.5	8
<b>24 UNITS</b>			<b>28</b>
Studio	8	1	8
One	8	1	8
Two	8	1.5	12

For the subdivision as proposed, 612 parking spaces will be required:

Unit Bedrooms	# of Units	Per Bedroom	Total
<b>TOWNHOMES</b>			<b>148</b>
One		1	0
Two		1.5	0
Three or more	74	2	148
<b>APARTMENTS</b>			<b>227</b>
One	90	1	90
Two	91	1.5	137
Three or more		2	0
<b>CONDOMINIUMS</b>			<b>238</b>
One	95	1	95
Two	95	1.5	143
Three or more		2	0
<b>TOTAL PARKING REQUIRED</b>			<b>612</b>

Total parking proposed is 515.

On the parking summary provided on the site plan differs from staff calculations:

- For townhomes, 111 parking spaces are estimated for the development – 148 are required.
- For 2-bedroom apartments, 100 parking spaces are estimated for the development – 137 are required.
- For the 2-bedroom condominiums, 104 parking spaces are estimated for the development – 143 are required.

Accessible parking spaces (ADA spaces) will be required for residential uses with ten or more spaces, OR if designated visitor parking spaces are provided. Each parking lot for each multi-family development would be evaluated for provision of ADA spaces. See the attached code, 49.40.210(c) for ADA parking requirements. Note that dimensions will need to meet CBJ 49.40.225:

- 8.5x17 feet for pull-in space
- 6.5x22 feet for parallel parking
- 13x17 feet for an accessible space, including the five foot access aisle. Note that one aisle can be shared between two spaces. ADA spaces must be marked and signed appropriately.

The development could apply for a Parking Waiver [49.40.220(a) in the attached code]. The effect of the waiver will have more benefits than detriments for the development, and will not materially endanger public health, safety or welfare.

ADA spaces are based on the number required before reductions, such as waivers, are considered. For instance, you may have nine required ADA spaces for 464 total required apartment and condo spaces. The Commission could waive the required parking spaces to, say, 350, but the developer would still need to provide nine ADA spaces.

8. **Lot Coverage** – Lot coverage is 50% for permissible and conditional uses. Lot coverage considers structures with roofs.

- 9. **Vegetative Coverage** – Required vegetative cover in D18 is 30 percent.
- 10. **Lighting** – A lighting plan should demonstrate full cut-off fixtures and should not illuminate neighboring property.
- 11. **Noise** – Noise is not anticipated to be in excess of that usually occurring in this zoning district
- 12. **Flood** – The lot is NOT located in a flood zone (Panel 02110C 1531D).
- 13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The lot is not in a mapped hazard zone.

Excavation of, or creation of, slopes of 18% or more will require a hillside endorsement from a qualified engineer. In general terms, this will require an engineered site plan, a vegetation plan, and a geotechnical memo, in addition to the construction and drainage plans usually required.

The Commission must sign off on the Hillside Endorsement for the CUP and for the ARS. Staff suggests that the Applicant either provide the information for hillside endorsement, or explain why the hillside endorsement is not needed. Refer to 49.70 Article II, attached to this report.

- 14. **Wetlands** – Wetlands are mapped on the lot. A United States Army Corps of Engineers permit will be required for fill. You can contact them at (907) 753-2689.
- 15. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 16. **Plat Restrictions** – On the preliminary plat (never finalized) for the previous subdivision, there was a plat note that said:

“6. A THROUGH CONNECTION TO VISTA DEL SOL DRIVE IS REQUIRED FOR THE DEVELOPMENT OF LOT 14.”

It appears the intent was a connection if Tract B1A was developed. It is not known if the Planning Commission would require a connection for the development proposed in this application. The requirement is not included on the 1975 survey on record.

17. **Traffic** –

A Traffic Impact Analysis (TIA) will not be required for the apartment complex constructed alone:

Use	Units	Trips Generated per Unit	Total Trips
Apartment	24	6.65	159.6

A TIA will be required for the ARS development:

Use	Units	Trips Generated per Unit	Total Trips
Residential Townhouse	74	5.81	430
Residential Condominium	190	5.81	1,104
Apartment	181	6.65	1,204
<b>Total ADTs:</b>			<b>2,738</b>

Anticipate that the Alaska Department of Transportation and Public Facilities will be reviewing the TIA.

### **Building Division**

18. **Building** – Building permits required will be reviewed during the submittal process.
19. **Outstanding Permits** – None.

### **General Engineering/Public Works**

20. **Engineering – Grading:** Slopes and retaining structures shall be shown on the Grading Plan. The heights and slope ratios shall be quantified.
  1. Easements: Site plan (plat) shall include all existing (and proposed) easements for drainage, utility lines, plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line.
  2. Roadway Slopes are shown as 11% on Phase 1. This is to be verified acceptable with the Fire Chief.
  3. Seismic structural design criteria: IBC: Use ICC referenced CD-ROM *Seismic Design 3.01* or figure 1613.5(12) with the listed explanation and references. IRC: Seismic Design Category: D1
21. **Drainage** – Drainage must be directed to pre-approved drainage ways and cannot be directed at neighbors or otherwise cause a nuisance. Drainage shall be shown in the Grading Plan with arrows. Any drainage structure(s) shall be identified and sizes called out.
22. **Utilities** – (water, power, sewer, etc.): Water service shall be provided. A CBJ ROW Permit and Utility Permit will be required. The plans shall include a Utility Plan that shows location of buried sewer and water utilities including valves, unions, cleanouts, and system components. Sizes and materials shall be called out. Power by others.
  1. **CBJ right-of-way (ROW) permit** – Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will cover the tapping of the water main and road restoration within the right-of-way (if required). Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application. Utility as-builts shall be submitted to GE prior to return of Bond and closure of permits.
  2. **Water Utility permit** – For the water/fire line to be installed to the new structure:
    - i. The line sizing shall be determined by the engineer. The meter is required to be installed prior to any branches in the plumbing line. The meter location and sizing shall be shown on the mechanical plans. The meter installation and conduit installation is the responsibility of the applicant. A water assessment will need to be paid and will be determined after sizing of meter and domestic line are identified.
    - ii. The requirement for providing adequate water pressure will require a booster station and/or water storage at higher elevation.
  3. **Sewer Utility permit** – For the sewer line to be installed to the new structure, the line sizing shall be determined by the engineer. The mechanical plans shall include a drainage fixture unit (DFU) count. The sewer assessment and inspection fees are to be paid and will be determined after review of the DFU's and the configuration of the underground sewer line.



## Fire Marshal

### 23. Fire Items/Access –

All buildings will need to be sprinklered and have fire alarms.

Hydrants – no more than 500 feet between them.

Apparatus turn-around capability

Slopes – get as close as possible to 10%, if you must exceed please coordinate with CCFR.

May be access issues with one-way-in, one-way-out. May require secondary access.

## Other Applicable Agency Review

### 24. Alaska Department of Transportation and Public Facilities:

#### a. Driveway permitting

Michael K. Schuler, Property Management Officer

(907) 465-4499 Desk

(907) 419-4510

michael.schuler@alaska.gov

#### b. Traffic Analysis

Nathan Purves, Traffic and Safety Engineer

(907) 465-4521

nathan.purves@alaska.gov

### 25. United States Army Corps of Engineers: (907) 753-2689

### 26. United States Fish and Wildlife Service: (907) 780-1160

## 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 (required with all applications)
2. Conditional Use Permit
3. Alternative Residential Subdivision Application
4. Parking Waiver 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.

## Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. N/A

### **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. Conditional Use Permit: Class III, \$750
2. Alternative Residential Subdivision preliminary plan: Assuming 454 total units, \$36,720; \$400 plus \$80 per residential unit.
3. Alternative Residential Subdivision final plan: Assuming 454 total units, \$27,540; \$300 plus \$60 per residential unit.

NOTE: ARS fees cited include the preliminary and final plat process.

4. Public Notice Sign – for each occurrence. \$150, with \$100 refundable if the sign is returned by the Monday following the Planning Commission meeting.
5. Parking Waiver: \$320 if applied for with a major development permit (ARS or CUP)

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

### **Submit your Completed Application**

You may submit your application(s) online via email to [permits@juneau.org](mailto: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](http://www.juneau.org/community-development)

### **Attachments:**

- 49.15.330 –Conditional Use Permit
- 49.15 Article IX – Alternative Residential Subdivisions
- 49.70 Article II – Hillside Endorsement
- REVISED PARKING CODE EFFECTIVE MAY 25, 2022
- Development Permit Application
- Conditional Use Permit Application
- Alternative Residential Subdivision Application
- Parking Waiver Application

### 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 )

## ARTICLE IX. ALTERNATIVE RESIDENTIAL SUBDIVISIONS

### 49.15.900 Purpose.

The general purpose of this article is to provide reasonable minimum standards and procedures for unit-lot residential communities in which all or some of the lots do not substantially conform to the minimum requirements for a traditional subdivided lot. This article provides a housing option to allow dwellings on unit-lots to be conveyed by long-term leases, less than fee-simple ownership, or fee-simple ownership, including condominium and other common-interest communities. The specific purpose of this article is to permit flexibility in the regulation and use of land in order to promote its most appropriate use for unit-lot residential communities; to encourage residential developments that are planned, designed and developed to function as integral units with common facilities; to encourage developments that provide different types of housing options; to encourage development of quality affordable housing; to facilitate the adequate and economical provisions of access and utilities; and to encourage developments that are in harmony with the surrounding area.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

### 49.15.910 Application.

The provisions of this article apply when a parent lot is subdivided into developable unit-lots and where a portion of the parent lot remains.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

### 49.15.920 General provisions.

- (a) *General.* The requirements of this title apply except as provided in this article.
- (b) *Zoning districts.* An alternative residential subdivision is only allowed in the following zoning districts: RR, D-1, D-3, D-5, D-10SF, D-10, D-15, D-18, and LC.
- (c) *Lot size.* The parent lot shall be at least 150 percent of the minimum lot size for the zoning district in which it is located. There is no minimum size for the unit-lots.
- (d) *Other dimensional standards.* The minimum lot dimensions, lot coverage, and vegetative coverage shall be applied to the parent lot and not the unit-lots.
- (e) *Density.*
  - (1) The number of dwelling units permitted in the development shall be calculated by multiplying the maximum number of dwelling units per gross acre permitted in the underlying zoning district by the number of acres in the alternative residential subdivision and rounding to the nearest whole number.
  - (2) Land and water bodies used in calculating the number of dwelling units permitted shall be delineated on the preliminary and final plans in a manner allowing confirmation of acreage and density computations.
  - (3) The commission may award a density bonus as an incentive for enhancements to the development. The total bonus shall not exceed 50 percent in the RR, D1, D3, D5, D10 zoning districts, and 25 percent

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- in the D-10SF, D15, D18 and LC zoning districts of the density provided in subsection (e)(1) of this section and rounded to the nearest whole number and shall be the sum of individual density bonuses as follows:
- (A) Five percent for each ten percent increment of open space in excess of that required in the zoning district to a maximum bonus of 15 percent for open space in excess of that required;
  - (B) Five percent for a continuous setback greater than 50 feet or ten percent for a continuous setback greater than 50 feet on both sides of a stream, if applicable, designated in the plan as undisturbed open space along important natural water bodies, including anadromous fish streams, lakes, and wetlands;
  - (C) Fifteen percent for a mixture of housing units restricted by a recorded document for a period of 30 years from the first sale:
    - (i) In which ten percent of the dwelling units are set aside for lower income households earning no more than 80 percent of the area median income; or
    - (ii) In which 20 percent of the dwelling units are set aside for workforce households earning no more than 120 percent of the area median income.
  - (D) Up to ten percent for provision of common facilities and additional amenities that provide an unusual enhancement to the general area, such as siting, landscaped buffers, or the creation or preservation of view corridors;
  - (E) Ten percent for dedication of a public right-of-way accessible to all unit-lots consistent with chapter 49.35;
  - (F) Five percent in the RR, D-1, D-3, D-5, and D-10SF zoning districts, and ten percent in the D-10, D-15, D-18 and LC zoning districts for providing shared use pathways to facilitate safe pedestrian and bicycle movement within the development and to ensure non-vehicular access to open space, common facilities and to public services;
  - (G) Five percent for designing all dwelling structures to a five-star plus energy efficiency rating; ten percent for designing all dwelling structures to a six-star energy efficiency rating; and
  - (H) Up to ten percent for using high-efficiency primary heating methods, such as heat pumps, in all dwelling structures.
- (4) A density bonus may be limited or denied if it will more probably than not:
- (A) Materially endanger public health or safety;
  - (B) Substantially be out of harmony with property in the neighboring area;
  - (C) Lack general conformity with the comprehensive plan or another adopted plan; or
  - (D) Create an excessive burden on roads, sewer, water, schools, or other existing or proposed public facilities.
- (f) *Frontage and access.* The parent lot shall front on and be accessed by a publically maintained right-of-way. Access within the development may be exempted from [chapter] 49.35 and be privately owned and maintained if it complies with the following requirements:
- (1) The access shall be located completely on the parent lot;
  - (2) The access does not endanger public safety or welfare and provides for safe pedestrian and vehicular traffic circulation;
  - (3) The access complies with the emergency service access requirements of CBJ [chapter] 19.10;

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- (4) Access to and within the development is paved;
  - (5) The developer submits adequate evidence that upon approval of the development, a homeowners' association will be formed, can obtain liability insurance, and is solely responsible for maintaining the private access—including winter maintenance; and
  - (6) The alternative residential subdivision does not abut a developable parcel that lacks alternative and practical frontage on a publically maintained right-of-way.
- (g) *Utilities.* An alternative subdivision is required to connect each dwelling unit to public sewer and water. A master meter for water shall be installed by the developer.
  - (h) *Parking.* Parking required for each dwelling unit may be located on either the parent lot or the unit-lot.
  - (i) *Open space.* Open space is required as follows: 25 percent in the RR and D-1 zoning districts; 20 percent in the D-3, D-5 and D-10 zoning districts; 15 percent in the D-10SF district. Open space is not required in the D-15, D-18, or LC zoning districts.
  - (j) *Buffer.* There are no setback requirements on the unit-lots. A perimeter buffer is required in lieu of the setback requirements of this title on the parent lot. The presumptive buffer width shall not be less than the setback set by the underlying zoning district to ensure neighborhood harmony and minimize off-site impacts. The commission may enlarge a buffer or a portion of a buffer up to 25 feet in total width, and the commission may reduce a buffer or a portion of a buffer by 75 percent of the setback for the underlying zoning district. The commission may only enlarge or reduce the buffer width upon considering, but not limited to: type of buffer, location of the subdivision structures and uses therein; the location and type of surrounding uses or development; topography; and the presence of existing visual and sound buffers. A buffer shall be vegetated unless the commission requires non-vegetated screening. A buffer may include fencing, natural berm, or other similar features. No parking areas, dwelling units, unit-lots, or permissible uses may be located within the perimeter buffer. Access to the development may cross a portion of the buffer.
  - (k) *Parent lot.* Portions of the parent lot not subdivided into unit-lots shall be owned in common by a homeowners' association, or similar entity, comprised of the owners of the unit-lots located within the parent lot.
  - (l) *Stormwater management.* Facilities for the control and disposal of stormwater must be adequate to serve the development and areas draining through the development. Management shall be in accordance with the Stormwater Best Management Practices manual. Where appropriate, natural drainage channels, swales, or other similar areas within the open space may be used for stormwater management at the development. The developer shall provide the CBJ Engineering and Public Works Department with an evaluation of offsite drainage outfalls for the additional runoff contributed by the alternative residential subdivision. The commission may require construction of offsite drainage improvements necessary to accommodate additional runoff from the development.
  - (m) *Permitted uses.* No primary uses are permitted on the parent lot except a recreational center, community facility, or a child care center. Consistent with the table of permissible uses, 49.25.300, only residential uses and associated accessory structures are allowed on the unit-lots. Accessory dwelling units are prohibited on the parent lot and on any unit-lots. A home occupation or a child care home is permissible on the unit-lots. If an alternative residential subdivision creates a lot that complies with the table of dimensional standards, 49.25.400, for the underlying zoning district, the accessory dwelling unit prohibition of this subsection does not apply.
  - (n) *Street sign.* Street signage is required. The developer shall install a street sign provided by the City and Borough of Juneau at the developer's expense. The director shall determine the type of street sign—addresses or street name—upon considering public health, safety, and welfare given the size of the subdivision.



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- (o) *Mailboxes.* Upon consultation with the United States Postal Service, the director shall determine the placement location of mailboxes. The director may require additional improvements and design changes to enable efficient mail delivery and to minimize traffic interferences and compliance with CBJ standard details.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

#### **49.15.930 Alternative residential subdivision review process.**

- (a) *General procedure.* A proposed alternative residential subdivision shall be reviewed according to the requirements of section 49.15.330, conditional use permit, and in the case of an application proposing a change in the number or boundaries of unit-lots, section 49.15.402, major subdivisions, except as otherwise provided in this article. Approval shall be a two-step process, preliminary plan approval and final plan approval. In cases involving a change in the number or boundaries of unit-lots, the preliminary and final plat submissions required by section 49.15.402 shall be included with the preliminary and final plan submissions required by this chapter.
- (b) *Preapplication conference.* Prior to submission of an application, the director shall conduct an informal preapplication conference with the developer to discuss the proposed alternative residential subdivision. The purpose of the preapplication conference shall be to exchange general and preliminary information and to identify potential issues and bonuses. The developer may discuss project plans and the director may provide an informal assessment of project permit eligibility, but no statement made by either party shall be regarded as binding, and the result of the conference shall not constitute preliminary approval by the department. The conference shall include a discussion of the zoning, size, topography, accessibility, and adjacent uses of the development site; the uses, density and layout of buildings, parking areas, the open space and landscaping proposed for the development; the common facilities; provision of utilities, including solid waste and recycling collection; the access, the vehicle and pedestrian circulation, and winter maintenance including snow removal locations; the development schedule and the alternative residential subdivision permit procedures. The developer shall provide a sketch of the proposed alternative residential subdivision.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

#### **49.15.940 Preliminary alternative residential subdivision plan approval.**

- (a) *Application.* The developer shall submit to the department one copy of a complete alternative residential subdivision application, which shall include an application form, the required fee, any information required in subsection 49.15.402, the information required by this section, and any other information specified by the director.
- (b) *Required submissions.* The application shall include the following material:
- (1) *Ownership.* The application shall identify, and shall be signed by or upon, the included written authorization of, all owners, lessees, and optionees of land within the boundaries of all phases of the alternative residential subdivision.
  - (2) *Preliminary development plan.* The application shall include a preliminary development plan, explaining how the proposed alternative residential subdivision will achieve the purposes set forth in section 49.15.900. The preliminary development plan shall summarize the different land uses proposed, including the amount of land for housing, open space, buffer, access, parking and pedestrian circulation; the number and types of housing units and proposed density; the natural features to be protected and hazards to be avoided; and the public, if any, and private services to be provided.
  - (3) *Design.* The application shall describe the design of the alternative residential subdivision, with particular attention to building siting, massing, access, parking, and architectural features; provision of

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- utilities including drainage and trash collection; provision of winter maintenance for access and parking areas; and the circulation of traffic and pedestrians.
- (4) *Open space, common facilities, and general landscaping.* The preliminary plat shall show and describe common facilities, pedestrian circulation to common facilities and amenities, open space, buffers, landscaping, and similar features.
- (5) *Request for density bonuses.* If a density bonus is being applied for, the application shall include a narrative describing the justification for the requested bonus, and the application shall show the nature and extent of the requested bonus.
- (6) *Description of phased development.* The preliminary development plan for a phased alternative residential subdivision shall include:
- (A) A drawing and development schedule for each phase and for the entire alternative residential subdivision;
  - (B) The size and general location of proposed land uses for each phase at the maximum level of density, including maximum allotment of density bonuses;
  - (C) A description of the access (pedestrian and vehicular) connecting all the phases and where they will connect at the alternative residential subdivision boundaries;
  - (D) A description of how the developer will address the cumulative impacts of the phased development on the neighborhood and the natural environment;
  - (E) A description of the overall design theme unifying the phases;
  - (F) An analysis of how each phase in the project will meet the requirements of subsection 49.15.960(b); and
  - (G) A sketch plat consistent with section 49.15.410.
- (c) *Department review.* The director shall advise the developer whether the alternative residential subdivision application is complete, and, if not, what the developer must do to make it complete. Within 45 days after determining an application is complete, the director shall schedule the preliminary plan for a public hearing before the commission. The director shall give notice to the developer and the public according to section 49.15.230.
- (d) *Commission action.* The commission may approve an alternative residential subdivision preliminary plan if it meets the following requirements:
- (1) The development protects natural features and avoids natural hazards by reserving them as open space;
  - (2) The development is consistent with the land use code;
  - (3) The development incorporates perimeter buffers sufficient to minimize off-site impacts of the subdivision and to maximize harmony with the neighborhood;
  - (4) Utilities proposed for connection to the City and Borough system meet City and Borough standards, and all others are consistent with sound engineering practices, as determined by the City and Borough Engineering and Public Works Department;
  - (5) The configuration of the development provides for economy and efficiency in utilities, housing construction, access, parking and circulation;
  - (6) If the approval is for a phased development, that each phase is consistent with the preliminary development plan and design of the entire alternative residential subdivision;

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- (7) Adequately addresses the cumulative impacts of the phased development on the neighborhood and the natural environment; and
  - (8) If the approval includes an allotment of a density bonus, the density bonus complies with section 49.15.920(e)(4).
- (e) *Expiration.* Approval of a preliminary plan shall expire 18 months after the commission notice of decision unless a final plan for the entire project or, in the case of a phased development, the first phase thereof, is submitted to the department for commission action. An application for extension of a preliminary plan shall be according to section 49.15.250, development permit extension.
- ( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

#### **49.15.950 Final alternative residential subdivision plan approval.**

- (a) *Application.* Upon completion of all conditions of the preliminary plan, the developer shall submit an application, fee, and a final plan for commission approval.
  - (b) *Homeowners' association.* The formation of a homeowners' association, or similar entity, is required.
    - (1) The articles of incorporation and bylaws of the homeowners' association, required under A.S. 34.08 or this chapter, shall be prepared by a lawyer licensed to practice in the state.
    - (2) The homeowners' association shall be responsible for the maintenance of open space, water and sewer utilities, and stormwater control features and drainages. The association documents shall specify how any other common facilities shall be operated and maintained. The association documents shall require homeowners to pay periodic assessments for the operation, maintenance and repair of common facilities. The documents shall require that the governing body of the association adequately maintain common facilities.
    - (3) If the alternative residential subdivision is phased, the association documents shall specify how the cost to build, operate, and maintain improved open space and common facilities shall be apportioned among homeowners of the initial phase and homeowners of later phases.
    - (4) The homeowners' association documents shall be recorded with the approved final plat.
  - (c) *Commission action.* The commission may approve the final plan if it substantially conforms to the approved preliminary plan and all requirements of this article.
  - (d) *Expiration.* An approved final plan shall expire 18 months after recording if the applicant fails to obtain an associated building permit and make substantial construction progress. An application for extension of a final plan shall be according to section 49.15.250, development permit extension.
- ( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

#### **49.15.960 Phased development.**

- (a) *Phasing allowed.* An applicant may develop an alternative residential subdivision in phases, provided the initial application includes a preliminary development plan sufficient to assess the cumulative effects of the entire alternative residential subdivision on the neighborhood and the environment according to the standards in subsection 49.15.940.
- (b) *Completion of an individual phase.* Each phase shall be so designed and implemented that, when considered with reference to any previously constructed phases but without reference to any subsequent phases, it meets the design and density standards applicable to the entire alternative residential subdivision.

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Construction and completion of open space and common facilities serving each phase in an alternative residential subdivision shall proceed at a rate no slower than that of other structures in that phase. No phase shall be eligible for final plan approval until all components of all preceding phases are substantially complete and homeowners' association documents have been approved.

- (c) *Standards for phases.* Each phase of an alternative residential subdivision shall be reviewed according to the provisions of this chapter then current. Each phase of an alternative residential subdivision shall maintain design continuity with earlier phases. At no point during a phased development shall the cumulative density exceed that established in the approved preliminary plan.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

**49.15.970 Amendments to approved alternative residential subdivision plan.**

- (a) *Request for amendment.* The developer of an alternative residential subdivision may request an amendment to an approved preliminary or final alternative residential subdivision plan. The request shall state the reasons for the amendment and shall be submitted in writing to the director, who shall inform the developer within 15 days whether the request shall be processed as a minor amendment or major amendment.
- (b) *Minor amendment.* A minor amendment may be submitted without a filing fee and may be approved by the director. For purposes of this section, a minor amendment is a change consistent with the conditions of the original plan approval, and would result in:
  - (1) Insignificant change in the outward appearance of the development;
  - (2) Insignificant impacts on surrounding properties;
  - (3) Insignificant modification in the location or siting of buildings or open space;
  - (4) No reduction in the number of parking spaces below that required;
  - (5) A delay of no more than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.
- (c) *Major amendment.* All other amendments shall be reviewed by the commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.

( Serial No. 2018-41(c), § 2, 12-17-2018, eff. 1-17-2019 )

## ARTICLE II. HILLSIDE DEVELOPMENT

### 49.70.200 Purposes.

The purposes of this article are to:

- (1) Ensure that hillside development provides erosion and drainage control to protect adjoining parcels;
- (2) Protect waterways from sedimentation and pollution;
- (3) Minimize injury or damage to people or property from natural or artificial hazards in hillside development; and
- (4) Minimize any adverse aesthetic impact of hillside development.

(Serial No. 87-49, § 2, 1987)

### 49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
  - (1) Removal of vegetative cover;
  - (2) Excavation of any slope in excess of 18 percent;
  - (3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; or
  - (4) Any hazard area identified 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 the assembly by ordinance or any other areas determined to be susceptible to geophysical hazards.
- (b) All hillside development endorsement applications shall be reviewed by the planning commission, except the following may be reviewed by the director:
  - (1) An excavation below finished grade for basements and footings of a building, a retaining wall or other structure authorized by a building permit, provided that this shall not exempt any fill made with the material from such excavation nor any excavation having an unsupported height greater than two feet after the completion of the associated structure.
  - (2) Graves.
  - (3) Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay provided such operations do not affect the location or peak volume of runoff, the location or amount of standing water, or the lateral support for, the stresses in, or the pressure upon, any adjacent or contiguous property.
  - (4) Exploratory excavations less than 200 square feet in area and under the direction of a civil engineer with knowledge and experience in the application of geology in the design of civil work.
  - (5) An excavation which:
    - (A) Is less than two feet in depth and covers less than 200 square feet; or

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- (B) Does not create a cut slope greater than five feet in height or steeper than one and one-half horizontal to one vertical.
  - (6) A fill less than one foot in depth and intended to support structures which fill is placed on natural terrain with a slope flatter than five horizontal to one vertical, which does not exceed 20 cubic yards on any one lot and which does not obstruct a drainage course.
  - (7) A fill less than three feet in depth and not intended to support structures which fill is placed on natural terrain on a slope flatter than five horizontal to one vertical, which does not exceed 50 cubic yards on any one lot and which does not obstruct a drainage course.
  - (8) Minor development.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 22, 6-5-2006; Serial No. 2015-03(c)(am), § 51, 8-31-2015 )

#### **49.70.220 Hillside development endorsement application.**

- (a) All development on hillsides shall be pursuant to a hillside development endorsement.
- (b) The developer shall apply for and obtain a hillside development endorsement prior to any site work other than land and engineering surveys and soils exploration.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 52, 8-31-2015 )

#### **49.70.230 Fees.**

The City and Borough shall charge the developer the gross hourly rate for professional review of the application and for inspection. The developer shall deposit one percent of the value of the site development, excluding that portion of the site determined by the engineer to be subject to a public transmission facility permit, in a specially designated reserve account, against which the City and Borough may bill its documented time and expenses. The developer shall promptly replenish this amount when requested, and no endorsement may be issued if there is any deficiency in the developer's reserve account. All unexpended funds in the reserve account shall be returned to the developer upon final approval of development or when the engineer is satisfied that the work under the hillside development endorsement has been completed and the requirements of this chapter have been met.

(Serial No. 87-49, § 2, 1987)

#### **49.70.240 Application.**

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

- (1) A vicinity map, at a clear and legible scale, showing roads, place and street names and natural waterbodies.
- (2) Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development and including:
  - (A) Two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line;
  - (B) Water bodies, tidelands and drainage ways from the development site to accepting natural waterbody;

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- (C) Lot boundaries and easements for the site and adjacent lots; and
  - (D) Existing improvements on the site and adjacent lots, including structures, roads, driveways and utility lines.
- (3) The application shall include a finished proposed site plan at a clear and legible scale that includes the following information:
- (A) Finished grade at two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line.
  - (B) Water bodies, tidelands and drainage ways, and temporary and permanent drainage systems from the development site to the accepting natural waterbody.
  - (C) Lot boundaries, easements and setback lines.
  - (D) The location of improvements including structures, roads, driveways, utility lines, culverts, walls and cribbing.
  - (E) Clearing limits of existing vegetative cover.
  - (F) A cross section of the development site.
- (4) The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations.
- (5) A description of the source and type of any off-site fill, and the site for depositing excess fill.
- (6) A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes.
- (7) An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development.
- (8) A work schedule, by phase.
- (9) Such other different or more detailed submissions as may be required.
- (Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

#### **49.70.250 Standards for approval.**

Hillside development shall meet the following minimum standards:

- (1) *Roads.* The City and Borough road standards shall apply to hillside development, except that:
  - (A) *Modification of standards.* The engineer or planning commission may modify road standards as identified in subsections (1)(B) and (C) of this section, if:
    - (i) The developer's traffic analysis and circulation, land ownership, and development patterns indicate future use of the roadway at less than collector street levels;



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- (ii) The modification would enable the development to meet, or more closely approximate, the criteria set forth in section 49.70.260; and either
  - (iii) The proposed road or access in question would result in a permanent cul-de-sac; or
  - (iv) A secondary access to the proposed development exists or will be developed as a part of the project.
- (B) *Road width.* The width of a section of residential roadway may be narrowed to 20 feet, with a single four-foot pedestrian way and underground storm drain system, if:
- (i) The section is not more than 200 feet in length, and is separated from other such sections by at least 100 feet of standard roadway;
  - (ii) No entrances, intersections or parking are allowed in the section;
  - (iii) Guard rails, if any, are designed to permit the passage of plowed snow;
  - (iv) There is at least a 200-foot line of sight along the centerline of the section;
  - (v) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260;
  - (vi) Grouped off-street parking spaces are provided at the entry to the section; and
  - (vii) Adequate provision is made for storage of snow.
- (C) *Road grade.* The grade of a section of residential roadway may be increased to a maximum of 15 percent if:
- (i) The section is not more than 200 feet in length and separated from other such sections by at least 100 feet of roadway;
  - (ii) No entrances or intersections are allowed in the section;
  - (iii) Through intersections at the end of the section have approaches at least 50 feet long measured from the edge of the traveled way of the crossroad and are at a grade of eight percent or less; intersections requiring a full stop have approaches no less than 20 feet long at a grade of two percent or less, or no less than 50 feet long at a grade between two and six percent;
  - (iv) Any guard rails are designed to permit the passage of plowed snow;
  - (v) All sight distances conform to standards of the American Association of State Highway and Transportation Officials; and
  - (vi) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260.
- (2) *Weather.* The engineer may prohibit a developer from earthmoving during periods of very wet soil conditions, in which case the permit shall be extended by a like period.
- (3) *Sediment.* The developer shall not allow any increase in sediment to flow off-site during or after construction if such would be likely to cause an adverse impact on a down slope lot or waterbody.
- (4) *Peak discharge.* The developer shall ensure that during and after construction of major development, the peak discharge of all streams and natural drainage ways at the down slope boundary shall be no greater than that occurring prior to excavation.

(Serial No. 87-49, § 2, 1987)

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### **49.70.260 Criteria.**

The commission or director shall consider the extent to which the development meets the following criteria:

- (1) *Soil erosion.* Soil disturbance and soil erosion shall be minimized and the effects thereof mitigated.
- (2) *Existing vegetation.* Depletion of existing vegetation shall be minimized.
- (3) *Contours.* The developer shall recontour the finished grade to natural-appearing contours which are at or below 30 percent or the natural angle of repose for the soil type, whichever is lower, and which will hold vegetation.
- (4) *Time of exposure and soil retention.* The developer shall minimize the period of time that soil is exposed and shall employ mats, silt blocks or other retention features to maximize soil retention.
- (5) *Replanting.* The developer shall mat, where necessary, and plant all exposed soil in grass or other soil-retaining vegetation and shall maintain the vegetation for one full growing season after planting.
- (6) *Drainage.* The developer shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the developer shall provide a drainage system or structures which will minimize the possibility of sedimentation and soil erosion on-site and downstream and which will maintain or enhance the general stream characteristics, spawning quality, and other habitat features of the stream and its receiving waters. Where possible, development shall be designed so lot lines follow natural drainage ways.
- (7) *Foundations.* The developer shall ensure that buildings will be constructed on geologically safe terrain.
- (8) *Very steep slopes.* The developer shall minimize excavation on slopes over 30 percent.
- (9) *Soil retention features.* The developer shall minimize the use of constructed retention features. Where used, their visual impact shall be minimized through the use of natural aggregate or wood, variation of facade, replanted terraces, and the like.
- (10) *Wet weather periods.* The developer shall minimize exposure of soil during the periods of September 1—November 30 and March 1—May 1.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

### **49.70.270 Conditions on approval.**

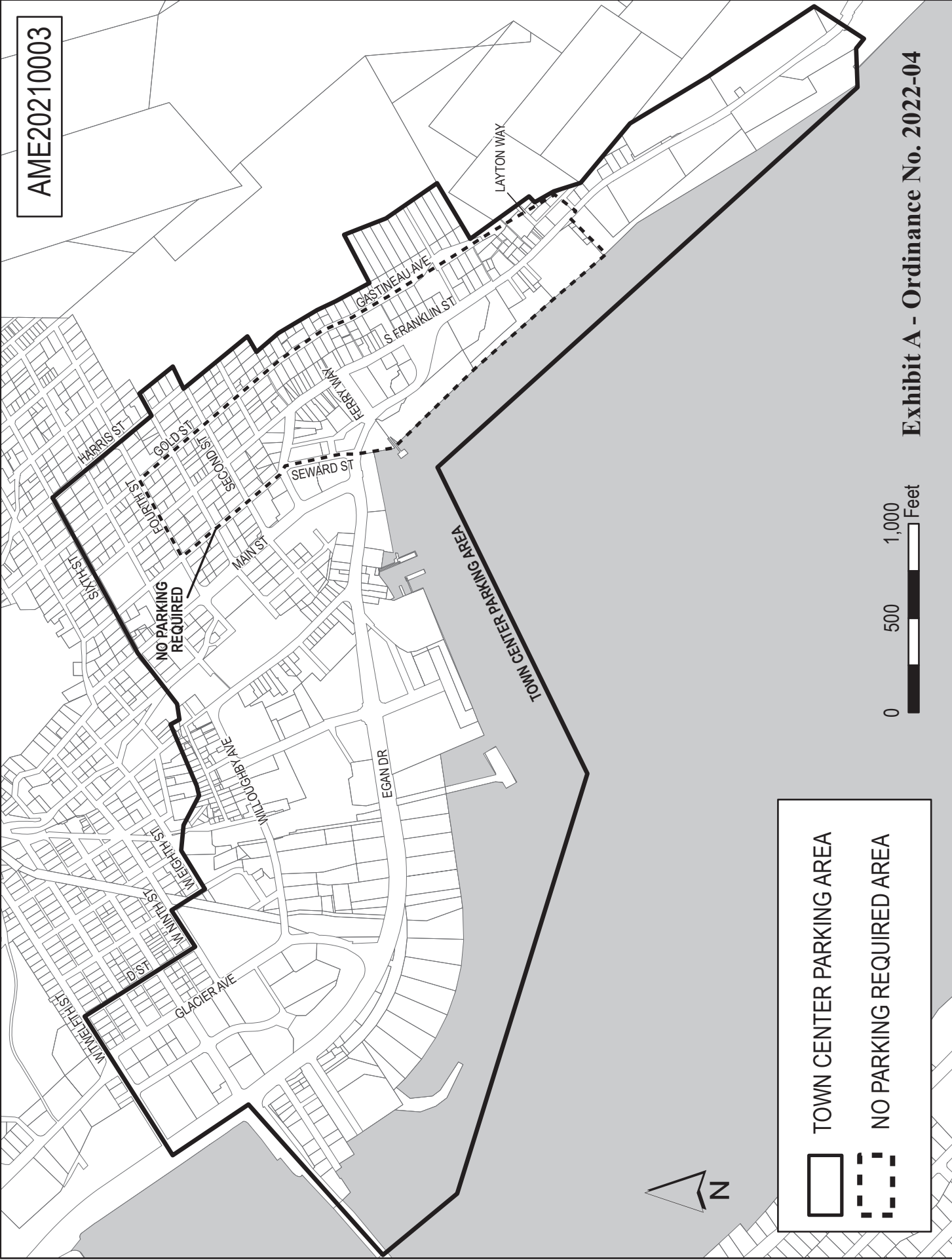
The commission or director may place conditions upon a hillside development endorsement as necessary or desirable to ensure that the spirit of this chapter will be implemented in the manner indicated in the application. Fulfillment of conditions shall be certified by the engineer. The conditions may consist of one or more of the following:

- (1) *Development schedule.* The commission or director may place a reasonable time limit on or require phasing of construction activity associated with the development or any portion thereof, in order to minimize construction-related disruption to traffic and neighbors or to ensure that the development is not used or occupied prior to substantial completion of required improvements.
- (2) *Dedications.* The commission or director may require conveyances of title or other legal or equitable interests to public entities, public utilities, a homeowner's association, or other common entities. The developer may be required to construct any public facilities, such as drainage retention areas, to City and Borough standards prior to dedication.

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- (3) *Construction guarantees.* The commission or director may require the posting of a bond or other surety or collateral providing for whole or partial releases, in order to ensure that all required improvements are constructed as specified in the approved plans.
  - (4) *Lot size.* If justified by site topography, the commission or director may require larger lot areas than prescribed by zoning requirements.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 55, 8-31-2015 )

AME20210003



NO PARKING  
REQUIRED

TOWN CENTER PARKING AREA  
NO PARKING REQUIRED AREA



Exhibit A - Ordinance No. 2022-04

Presented by: The Manager  
Presented: 02/07/2022  
Drafted by: R. Palmer III

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

**Serial No. 2022-04(b)**

**An Ordinance Amending the Parking Requirements of the Land Use Code.**

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

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

**Section 2. Amendment of Section.** CBJ 49.40 Parking and Traffic, Article II Parking and Loading, is repealed and reenacted to read:

**ARTICLE II: PARKING AND LOADING**

**49.40.200 General applicability.**

Developers must provide off-street parking spaces for automobiles in accordance with the requirements set forth in this chapter at the time any structure is erected, expanded, or when there is a change in the principal use.

(a) Special Parking Areas.

(1) *Town Center Parking Area.* The Town Center Parking Area, as depicted in Ordinance 2022-04 is adopted. The Town Center Parking Area consists of the lots within the area bound by West Tenth Street, Egan Drive, West Twelfth Street, D Street, West Ninth Street, C Street and its projection, West Eight Street and its

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2 projection, the rear lot lines of property between 370 through Distin Avenue, Sixth  
3 Street and its projection, Harris Street, projection of Third Street, projection of East  
4 Street, projection of Second Street, projection of Harris Street, the rear lot lines of  
5 property between 143 and 400 Gastineau Avenue, the rear lot lines of property  
6 between 511 and 889 South Franklin Street, and Gastineau Channel.

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8 (2) *No Parking Required Area.* The No Parking Required Area, as depicted in  
9 Ordinance 2022-04 is adopted. The lots within the area bound by Gastineau  
10 Avenue, Fourth Street, Seward Street, Gastineau Channel, 490 South Franklin  
11 Street, and Layton Way are excluded from the parking requirements of this  
12 chapter. No additional parking is required for development in this area.

13 (b) *Conforming parking.* The requirements, alternatives and reductions of this chapter can  
14 be combined to meet parking requirements of a development.

15 (c) *Developer responsibility.* Developer must submit documentation to demonstrate that  
16 applicable parking code requirements have been met, in conformance with this chapter.

17 (d) *Owner/occupant responsibility.* The provision and maintenance of off-street parking  
18 and loading spaces required in this chapter is a continuing obligation and joint responsibility of  
19 the owner and occupants.

20 (e) *Determination.* The determination of whether the parking requirements of this chapter  
21 are satisfied, with or without conditions, and deemed necessary for consistency with this title,  
22 must be made by:

24 (1) The director for minor development;

25 (2) The commission for major development; or

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- (3) The commission if the development application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.
- (f) *Expansion.* In cases of expansion of a structure on or after the effective date of Ordinance 2022-04,
  - (1) The number of additional off-street parking spaces required must be based on the gross floor area added.
  - (2) No additional parking spaces are required if the additional spaces would amount to less than ten percent of the total required for the development and amount to two or less spaces.
  - (3) For phased expansion, the required off-street parking spaces is the amount required for the completed development, as determined by the director.
- (g) *Change in use.* In cases of a change in use on or after the effective date of Ordinance 2022-04, the number of spaces required will be based on this chapter.
- (h) *Replacement and reconstruction of certain nonconforming structures.* Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures in residential districts must be governed by chapter 49.30.
- (i) *Mixed occupancy.* Mixed occupancy is when two or more of the parking uses in 49.40.210 share the same lot(s). For mixed occupancy, the total requirement for off-street parking facilities is the sum of the requirements for the uses computed separately.
- (j) *Uses not specified.* The requirements for off-street parking in 49.20.320 are based on the requirements for the most comparable use specified, as determined by the director for minor development or by the commission for major development.

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2 (k) *Location.* Off-street parking facilities must be located as provided in this chapter. If a  
3 distance is specified, such distance is the walking distance measured from the building being  
4 served to the parking provision. Off-street parking facilities for:

- 5 (1) Single-family dwellings and duplexes must be on the same lot as the building  
6 served;  
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8 (2) Multifamily dwellings may not be more than 100 feet distant, unless compliant with  
9 section 49.40.215; and  
10 (3) Uses other than those specified above, may be not more than 500 feet distant,  
11 unless compliant with section 49.40.215.

12 (l) *Off-street parking requirements for a lot accessible by air or water only.* Off-street  
13 parking requirements do not apply to a lot if it is accessible only by air or water. If the director  
14 determines that public access by automobile to the lot later becomes available, the owner of the  
15 property must be given notice and within one year must provide the required off-street parking.  
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17 **49.40.210 Number of off-street parking spaces required.**

18 (a) *General.* The minimum number of off-street parking spaces required must be as set  
19 forth in the following table. The number of spaces must be calculated and rounded down to the  
20 nearest whole number:  
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Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two bedroom unit	0.6 per two bedroom unit
	2.0 per three or more bedroom unit	0.8 per three or more bedroom unit
Roominghouse, boardinghouse, single-room occupancies with	1 per 2 bedrooms	1 per 5 bedrooms

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Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
shared facilities, bed and breakfast, halfway house, and group home		
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity
Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices.
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60% of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration.
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area.
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement.
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

(b) *Accessible parking spaces.* Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

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Table 49.40.210(b)	
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1100 total spaces in lot

(c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Motels and hotels	5,000—29,999	6,000-60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Commercial	5,000—24,999	6,000-50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000-50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000-40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

**49.40.215 Parking alternatives.**

Parking alternatives are methods of accommodating required parking without building parking on site. A developer may apply for one or more parking alternatives. Parking alternatives may be combined with approved reductions.

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2 (a) *Joint use.* Joint use occurs when the same off-street parking space is used to meet the  
3 parking requirement of different uses at different times. Joint use of off-street parking spaces  
4 may be authorized when the developer demonstrates there is no substantial conflict in the  
5 principal operating hours of the structures and uses involved and subject to the following  
6 requirements:

- 7  
8 (1) Any structure or use sharing the off-street parking facilities of another structure or  
9 use must be located within 500 feet of such parking facilities, unless a lesser radius  
10 is identified in this chapter. A developer may apply to provide off-street parking in  
11 an area greater than 500 feet distant, if approved by the commission.  
12 (2) The developer demonstrates with appropriate analysis or data that there is no  
13 substantial conflict in the principal operating hours of the structures or users for  
14 which joint use of off-street parking facilities is proposed.

15 The developer must present to the director a written instrument, proposed by the parties  
16 concerned, providing for joint use of off-street parking facilities. Upon approval by the  
17 director, such instrument must be recorded by the developer and documentation of  
18 recording provided to the director.  
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20 (b) *Loading spaces off-site.* The required loading space(s) may be met by an alternative  
21 private off-site loading parking space, if the alternate space is determined by the director of  
22 adequate capacity and proximity. In no case will the distance exceed standards established in  
23 49.40.200(k).

24 **49.40.220 Parking reductions.**

25 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

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2 reduced and must be provided in accordance with subsection 49.40.210(b). Loading spaces must  
3 not be reduced and must be provided in accordance with subsection 49.40.210(c).

4 (a) *Parking waivers.* The required number of parking spaces required by this chapter may be  
5 reduced if the requirements of this section are met.

6 (1) *Standards.* Any waiver granted under this section must be in writing and must  
7 include the following required findings and any conditions, such as public  
8 amenities, imposed by the director or commission that are consistent with the  
9 purpose of this title:

10 (A) The effect of granting a waiver would result in more benefits than  
11 detriments to the neighboring area and community as a whole as identified  
12 by the comprehensive plan; and

13 (B) The effect of granting a waiver will not materially endanger public health,  
14 safety, or welfare.

15 (2) *Relevant information.* The following information may be relevant for the director or  
16 commission's review:

17 (A) Analysis or data relevant to the intended use and related parking demands.

18 (B) Provision for alternative transportation.

19 (C) Traffic mitigation measures supported by industry standards.

20 (D) Bicycle and pedestrian amenities.

21 (3) *Applications.* Applications for parking waivers must be on a form specified by the  
22 director and must be accompanied by a one-time fee as provided in 49.85.

23 (4) *Public notice.* The director must mail notice of any complete parking waiver  
24 application to the owners of record of property located within a 250-foot radius of  
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2 the site seeking the waiver. If the parking waiver application is filed in conjunction  
3 with a major development permit, notice of both applications should be made  
4 concurrently in accordance with CBJ 49.15.230.

5 (5) *Expiration.* An approved parking waiver expires upon a change in use.

6 (b) *Town Center Parking Area, Fee-In-Lieu of off-street parking spaces.* In the Town Center  
7 Parking Area, a developer may pay a one-time fee in lieu of providing off-street parking spaces  
8 to satisfy the minimum parking requirements of this chapter. Fee in lieu can be used in any  
9 combination with other parking provisions of this chapter. Any fee in lieu due must be paid in  
10 full prior to the issuance of a temporary certificate of occupancy.  
11

12 **49.40.225 Dimensions and signage for Required Off-Street Parking Spaces.**

13 (a) *Standard spaces.*

14 (1) Except as provided in this section, each standard parking space must consist of a  
15 generally rectangular area at least 8½ feet by 17 feet. Lines demarcating parking  
16 spaces may be drawn at any angle to curbs or aisles so long as the parking spaces so  
17 created contain within them the rectangular area required by this section.

18 (2) Spaces parallel to the curb must be no less than 22 feet by 6½ feet.

19 (b) *Accessible spaces.*

20 (1) Each accessible parking space must consist of a generally rectangular area at least  
21 13 feet by 17 feet, including an access aisle of at least 5 feet by 17 feet. Two  
22 accessible parking spaces may share a common access aisle.

23 (2) One in every eight accessible parking spaces, but not less than one, must be served  
24 by an access aisle with a width of at least eight feet and must be designated “van-  
25 accessible.”

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2 (3) Accessible parking spaces must be designated as reserved by a sign showing the  
3 symbol of accessibility. "Van-accessible" parking spaces must have an additional  
4 sign designating the parking space as "van-accessible" mounted below the symbol of  
5 accessibility. A sign must be located so it cannot be obscured by a vehicle parked in  
6 the space.

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8 (4) Access aisles for accessible parking spaces must be located on the shortest  
9 accessible route of travel from parking area to an accessible entrance.

10 (c) *Facility loading spaces.*

11 (1) Each off-street loading space must be not less than 30 feet by 12 feet, must have an  
12 unobstructed height of 14 feet 6 inches, and must be permanently available for  
13 loading.

14 **49.40.230 Parking area and site circulation review procedures.**

15 (a) *Purpose.* The purpose of these review procedures is to ensure that proposed parking and  
16 related site access areas provide for adequate vehicular and pedestrian access and circulation;  
17 that parking spaces are usable, safe, and conveniently arranged; that sufficient consideration  
18 has been given to off-street loading and unloading; and that the parking area will be properly  
19 drained, lighted, and landscaped.

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21 (b) *Plan submittal.* Development applications must include plans for parking and loading  
22 spaces. Major development applications must include plans prepared by a professional engineer  
23 or architect. These plans may be part of a plan submission prepared in conjunction with the  
24 required review of another aspect of the proposed development.

25 (1) *Contents.* The plans must contain the following information:



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- (A) Parking and loading space plans drawn to scale and adequate to show clearly the circulation pattern and parking area function;
- (B) Existing and proposed parking and loading spaces with dimensions, traffic patterns, access aisles, and curb radii;
- (C) Improvements including roads, curbs, bumpers and sidewalks indicated with cross sections, designs, details, and dimensions;
- (D) A parking schedule indicating the number of parking spaces required, the number provided, and how such calculations were determined;
- (E) Topography showing existing and proposed contour intervals; and
- (F) Landscaping, lighting and sign details, if not provided in conjunction with the required review of another aspect of the proposed development.

(2) *Waiver of information.* The director may waive submission of any required exhibits.

(c) *Review procedure.* Plans must be reviewed and approved according to the procedures of this chapter and chapter 49.15.

(d) *Public improvements required.* As a condition of plan approval, the department may require a bond approved as to form by the municipal attorney for the purpose of ensuring the installation of off-site public improvements. As a condition of plan approval, the applicant is required to pay the cost of providing reasonable and necessary public improvements located outside the property limits of the development but necessitated by construction or improvements within such development.

**49.40.230 Parking and circulation standards.**

(a) *Purpose.* Provisions for pedestrian and vehicular traffic movement within and adjacent to the site must address layout of parking areas, off-street loading and unloading needs, and the

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2 movement of people, goods, and vehicles from access roads, within the site, and between  
3 buildings and vehicles. Parking areas must be landscaped and must feature safely-arranged  
4 parking spaces.

5 (b) *Off-street parking and loading spaces; design standards.*

6 (1) Access. There must be adequate ingress and egress from parking spaces. The  
7 required width of access drives for driveways must be determined as part of plan  
8 review depending on use, topography and similar considerations.

9 (2) Size of aisles. The width of aisles providing direct access to individual parking stalls  
10 must be in accordance with the following table. Other angles may be approved by  
11 the director that satisfy the needs of this chapter.  
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Parking Angle	0°	30°	45°	60°	90°
One-way traffic aisle width	13'	11'	13'	18'	24'
Two-way traffic aisle width	19'	20'	21'	23'	24'

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19 (3) Location in different zones. No access drive, driveway or other means of ingress or  
20 egress may be located in any residential zone if it provides access to uses other than  
21 those permitted in such residential zone.  
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23 (4) Sidewalks and curbing. Sidewalks must be provided with a minimum width of four  
24 feet of passable area and must be raised six inches or more above the parking area  
25 except when crossing streets or driveways. Guardrails and wheel stops permanently  
anchored to the ground must be provided in appropriate locations. Parked vehicles

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2 must not overhang or extend over sidewalk areas, unless an additional sidewalk  
3 width of two feet is provided to accommodate such overhang.

4 (5) Stacked parking. Stacked parking spaces may only be counted as required parking  
5 spaces for single-family residences, duplexes, and as otherwise specified for specific  
6 uses. In the case of single-family residences and duplexes with or without accessory  
7 uses and child care homes in a residential district, only a single parking space per  
8 dwelling unit may be a stacked parking space.

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10 (6) Back-out parking. Parking space aisles must provide adequate space for turning  
11 and maneuvering on-site to prevent back-out parking onto a right-of-way. If the  
12 director or the commission, when the commission has authority, determines back-  
13 out parking would not unreasonably interfere with the public health and safety of  
14 the parking space aisles and adjacent right-of-way traffic, back-out parking is  
15 allowed in the following circumstance:

- 16 (A) In the case of single-family dwellings and duplexes with or without accessory  
17 uses located in residential and rural reserve zoning districts;  
18 (B) Where the right-of-way is an alley; or  
19 (C) In the case of a child care home in a residential district.

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21 (c) *Drainage.*

22 (1) Parking areas must be suitably drained.

23 (2) Off-site drainage facilities and structures requiring expansion, modification, or  
24 reconstruction in part or in whole as the result of the proposed development must  
25 be subject to off-site improvement requirements and standards as established by  
the city.

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2 (d) *Lighting.* Parking areas must be suitably lighted. Lighting fixtures must be “full cutoff”  
3 styles that direct light only onto the subject parcel.

4 (e) *Markings and access.* Parking stalls, driveways, aisles and emergency access areas and  
5 routes must be clearly marked.

6 (f) *General circulation and parking design.*

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8 (1) Parking space allocations must be oriented to specific buildings. Parking areas  
9 must be linked by walkways to the buildings they serve.

10 (2) Where pedestrians must cross service roads or access roads to reach parking areas,  
11 crosswalks must be clearly designated by pavement markings or signs. Crosswalk  
12 surfaces must be raised slightly to designate them to drivers, unless drainage  
13 problems would result.

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15 **Section 3. Amendment of Section.** CBJ 49.65.530 Standards, is amended to read:

16 **49.65.530 Standards.**

17 (a) Stores may be approved in each of the areas shown on the convenience store use area  
18 maps A—B.

19 (b) Video rentals, a laundromat, and an automatic teller machine may be permitted as  
20 accessory uses. Automobile fuel sales may be permitted as an accessory use in locations with  
21 adequate space for queuing. The retail area for liquor sales may occupy no more than 50  
22 percent of the gross floor area. Automotive service and exterior merchandising shall not be  
23 permitted. Drive-up window service may be permitted only if vehicle queues will not extend into  
24 adjacent streets.  
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2 (c) Except as authorized by the bonus provisions of this article, gross floor area shall be  
3 limited to 3,000 square feet.

4 (d) Vehicle access must be directly from an arterial or collector, and not from a local street.

5 (e) Height shall be limited to one story except that a second story may be allowed for  
6 residential use and for accessory office and storage uses, provided that any storage use must  
7 relate directly to the primary permitted use.

8 (f) The site perimeter and parking area shall be landscaped and screened with live material  
9 installed within ten months of the date of final construction permit approval or issuance of a  
10 certificate of occupancy, whichever is the later. The commission may authorize a bond or other  
11 security or collateral required pursuant to CBJ 49.15.330(g)(5) a provision specifying that the  
12 bond shall be forfeited if landscaping is not complete by the time required or if any plants dying  
13 within one year of installation are not replaced. Development abutting a lot zoned for  
14 residential use shall include landscaped strips or landscape boxes at least five feet wide unless  
15 the applicant demonstrates that a narrower landscape strip meets the intent of this section.  
16 The strips shall be covered with ground cover and shall be maintained throughout the year such  
17 that:  
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- 20 (1) On a property line shared with the residential lot the strip shall include a  
21 continuous shrub screen, fence, or both, six feet high and 95% opaque. The screen  
22 shall include one tree at least six feet high at installation per 30 lineal feet;
  - 23 (2) On a property line adjacent to a street the strip shall include a continuous low  
24 shrub screen on a berm or other raised facility which is at least five feet wide,  
25 landscaped at a slope not greater than the natural angle of repose, and consistent  
with sight distance requirements for vehicle egress. The strip width may be reduced

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to not less than 18 inches to accommodate planter boxes and sight obscuring fences.

The screen shall include one tree per 30 lineal feet;

(3) On all other property lines except those along driveways the strip shall include a continuous low shrub screen with one tree per 30 lineal feet at least six feet high at installation.

(g) Outside of the Town Center Parking Area, the minimum off-street parking requirement shall be one space per 250 square feet of gross floor area.

(h) Exterior bear-resistant public litter cans shall be provided.

(i) The exterior building appearance, including siding, roofline, windows, paint colors, and building massing shall be compatible on all sides with surrounding uses.

(j) Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site.

(k) The building shall be set back from any property line shared with a residentially zoned parcel by a distance of 20 feet or the distance required by the underlying zoning district, whichever is greater.

(l) No more than 80 percent of the lot shall be covered by an impervious surface.

(m) The layout of the store shall provide for views from the cash register of bicycle racks, telephones, seating areas, and other exterior public amenities.

(n) The parking lot shall be paved and striped with spaces and a circulation pattern.

(o) Headlight glare shall not be permitted onto residentially-zoned lots adjacent to the site.

(p) Liquor sales shall not be permitted from drive-in window(s).

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2           **Section 4. Amendment of Section.** CBJ 49.80.120 Definitions, is amended to  
3 include the following new definitions in alphabetical order, to read:

4           **49.80.120 Definitions.**

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

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8 ...  
9           Mobile food vendor means a type of food service that is located in a vehicle, trailer or cart, and  
10 is capable of moving easily daily. Unless a push cart, these units must be capable of being  
11 licensed by the state as a motor vehicle, and can be moved without special conditions (such as a  
12 pilot car, flagging, or restricted hours of movement). Mobile units must completely retain their  
13 mobility at all times.

14 ...

15           Open air food service means a food service located in a structure or area that does not have a  
16 permanent means of heat. (Note that woodstoves are not considered a permanent means of heat  
17 by the building code official). The director can extend the operation period for cause, such as  
18 extended tourist season, community event, or emergency provisions.

19 ...

20 ...  
21           Walking distance is the distance measured by the shortest route, using pedestrian facilities,  
22 from the public entrance of the building in which a use occurs to the outer boundaries of  
23 another use.

24 ...

25







# DEVELOPMENT PERMIT APPLICATION

**NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.**

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s)		
	This property located in the downtown historic district This property located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner	Contact Person	
	Mailing Address	Phone Number(s)	
	E-mail Address		
	<b>LANDOWNER/ LESSEE CONSENT</b> <span style="float: right;">Required for Planning Permits, not needed on Building/ Engineering Permits</span>		
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 officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
<b>X</b>	_____	_____	
	Landowner/Lessee Signature	Date	
<b>X</b>	_____	_____	
	Landowner/Lessee Signature	Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
<b>APPLICANT</b> <span style="float: right;">If the same as OWNER, write "SAME"</span>			
Applicant	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
<b>X</b>	_____	_____	
	Applicant's Signature	Date of Application	

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

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.

	Intake Initials
	Date Received

	Case Number
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# 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**

**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)  
 Table of Permissible Uses Category: \_\_\_\_\_

**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 \_\_\_\_\_ square feet Total Area of Existing Structure(s) \_\_\_\_\_ square feet  
 Total Area of Proposed Structure(s) \_\_\_\_\_ square feet

**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

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

**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)

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

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
<b>Total Fee</b>	\$ _____			

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received

## **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](mailto: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.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



# ALTERNATIVE RESIDENTIAL SUBDIVISION 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.**

## PROJECT SUMMARY

### TYPE OF ALTERNATIVE RESIDENTIAL SUBDIVISION APPROVAL REQUESTED (please see submittal requirements on reverse)

Alternative Residential Subdivision (ARP)  
Preliminary Plan Approval

Alternative Residential Subdivision (ARF)  
Final Plan Approval (or Extension)

Amendment to Approved (ARP)  
Preliminary Plan\*

Amendment to Approved (ARF)  
Final Plan\*

\* Minor amendments will be reviewed by the Director; Major amendments will be reviewed by the Planning Commission.

### LEGAL DESCRIPTION(S) OF PROPERTY INVOLVED

Number of Existing Parcels \_\_\_\_\_

Total Land Area \_\_\_\_\_

Number of Resulting Parcels \_\_\_\_\_

### PROPOSED USE OF LAND AND BUILDING(S)

Zoning District(s) \_\_\_\_\_

Percent Open Space \_\_\_\_\_

Right-of-Way Frontage Proposed \_\_\_\_\_

Percent Buffer \_\_\_\_\_

Number of Dwelling Units Proposed \_\_\_\_\_

Density Proposed \_\_\_\_\_

Parking Proposed \_\_\_\_\_

Density Bonus            YES            NO

### ALL REQUIRED MATERIALS ATTACHED

**Complete application per CBJ 49.15.940 (preliminary) or CBJ 49.15.950 (final)**

**Pre-Application Conference notes**

**Narrative including:**

Current use of land or building(s)

Unique characteristics of land or building(s)

How the proposed project conforms to the Comprehensive Plan and CBJ Title 49 How the proposed project effects public health, safety, and welfare

How the proposed project is in harmony with the surrounding neighborhood

**Preliminary development plan (detailed on page 2)**

**Density Bonus**

Open Space

Stream Setback

Lower Income Households / Workforce Households

Unusual Enhancements

Public Right-of-Way Access

Shared Use Pathways

5-Star Plus Energy Efficiency

6-Star Energy Efficiency

High-efficiency Primary Heating Methods

To be completed by Applicant

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

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number

Date Received

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## Alternative Residential Subdivision Application Instructions

Alternative Residential Subdivision outlined in CBJ 49.15.900

Each application for an Alternative Residential Subdivision is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make decisions tailored to individual applications. The Commission may stipulate conditions to mitigate external adverse impacts from the proposed use. If it is determined that these impacts cannot be satisfactorily overcome, the permit shall be denied.

**Pre-Application Conference:** A pre-application conference is required prior to submitting an application. 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 email at [Permits@juneau.org](mailto:Permits@juneau.org).

**Application:** An application for an Alternative Residential Subdivision 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 Alternative Residential Subdivision Application and a Development Permit Application forms.
2. **Fees:** The fee is dependent upon the number of residential structures involved. 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:** outlined in CBJ 49.15.940(b)(2).
  - a. The amount of land for housing, open space, buffer, access, parking, and pedestrian circulation
  - b. The number and types of housing units and proposed density
  - c. The natural features to be protected and hazards to be avoided
  - d. The public, if any, and private services to be provided

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

1. Electronic copies;
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

### **Preliminary Plan Approval**

#### **Application Review & Hearing Procedure:**

**Review:** The Community Development Department shall determine when the Alternative Residential Subdivision Application is complete and advise the developer. Within 60 days of determining that an application is complete, the Director shall schedule the preliminary plan for a public hearing.

**Hearing:** All Alternative Residential Subdivision applications must be reviewed by the Planning Commission. The Commission shall review the preliminary plan and approve, approve with conditions, or deny pursuant to 49.15.940.

**Public Notice Responsibilities:** As part of the Preliminary Plan Approval, proper public notice must be given as outlined in CBJ 49.15.230 which consists of the following:

**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, the department will mail abutters 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 speak with the Community Development Department for more information.

### **Final Plan Approval**

After completion of all conditions and Commission approval of the preliminary plan in accordance with the Conditional Use permit procedures, the final plan shall be submitted for review and approval according to the following:

1. An application, fee, and a final plan must be submitted for Commission review.
2. Formation of a homeowners' association, or similar entity, is required, outlined in CBJ 49.15.950(b)(1)-(4).
3. The Commission may approve the final plan if it substantially conforms to the approved preliminary plan and all requirements of this article.

**Phased Development:** An applicant may develop an Alternative Residential Subdivision in phases, provided:

1. The initial application includes a preliminary development plan sufficient to assess the cumulative effects of the entire Alternative Residential Subdivision on the neighborhood and the environment according to the standards in subsection 49.15.940.
2. Each phase shall be so designed and implemented that, when considered with reference to any previously constructed phases but without reference to any subsequent phases, it meets the design standards applicable to the entire Alternative Residential Subdivision. Construction and completion of open space and common facilities serving each phase in an Alternative Residential Subdivision shall proceed at a rate no slower than that of other structures in the phase. No phase shall be eligible for final plan approval until all components of all preceding phases are substantially complete and homeowners' association documents have been approved.
3. Each phase of an Alternative Residential Subdivision shall be reviewed according to the provisions of this chapter then current. Each phase of an Alternative Residential Subdivision shall maintain design continuity with earlier phases. At no point during a phased development shall the cumulative density exceed that established in the approved preliminary plan.

### **Amendments**

The developer of an Alternative Residential Subdivision may request an amendment to an approved preliminary or final Alternative Residential Subdivision plan. The request shall state the reasons for the amendment and shall be submitted in writing to the director, who shall inform the developer within 15 days whether the request shall be processed as a minor amendment or major amendment.

1. A minor amendment is a change consistent with the conditions of the original plan approval and would result in:
  - a. Insignificant change in the outward appearance of the development;
  - b. Insignificant impacts on surrounding properties;
  - c. Insignificant modification in the location or siting of buildings or open space;
  - d. No reduction in the number of parking spaces below that required;
  - e. A delay of no more than one year in the construction or completion schedule for the project or, in the case of a phased project, the phase for which the amendment is requested.
2. All other amendments shall be reviewed by the Commission upon payment of a filing fee and in accordance with the requirements of the original plan approval.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



# PARKING WAIVER 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	<b>PROJECT SUMMARY</b>				
	<b>TYPE OF PARKING WAIVER REQUESTED</b> (check one)				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;"><b><u>MINOR DEVELOPMENT</u></b></td> <td style="width: 50%; text-align: center; padding: 5px;"><b><u>MAJOR DEVELOPMENT</u></b></td> </tr> <tr> <td style="padding: 5px;">Parking Waiver Departmental Review (PWD)</td> <td style="padding: 5px;">Parking Waiver Planning Commission Review (PWP)</td> </tr> </table>	<b><u>MINOR DEVELOPMENT</u></b>	<b><u>MAJOR DEVELOPMENT</u></b>	Parking Waiver Departmental Review (PWD)	Parking Waiver Planning Commission Review (PWP)
	<b><u>MINOR DEVELOPMENT</u></b>	<b><u>MAJOR DEVELOPMENT</u></b>			
	Parking Waiver Departmental Review (PWD)	Parking Waiver Planning Commission Review (PWP)			
	<b>DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED</b> (check one)				
Existing                                  Proposed – Related Case Number: _____					
<b>NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A)</b>					
For Residential Uses: _____ spaces                                  For Non-Residential Uses: _____ spaces					
<b>NUMBER OF PARKING SPACES THAT WILL BE PROVIDED</b>					
For Residential Uses: _____ spaces                                  For Non-Residential Uses: _____ spaces					
<b>ALL REQUIRED MATERIALS ATTACHED</b>					
<p><b>Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6)</b></p> <p><b>Narrative including:</b></p> <p>Why the parking waiver is being requested?</p> <p>How the requested waiver meets items 1-4 on page 2</p>					

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

<b>PARKING WAIVER FEES</b>			
Residential Spaces	_____	Non-Residential Spaces	_____
Residential Fee	\$ _____	Non-Residential Fee	\$ _____
Total Residential	\$ _____	Total Non-Residential	\$ _____
<b>Total Fee</b>		<b>\$ _____</b>	

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received

### **Parking Waiver Information**

Parking waivers are outlined in CBJ 49.40.210(d)(6)

Parking Waivers are pursuant to 49.40.210(d) Exceptions (6) Parking Waivers. The required number of non-accessible parking spaces required by this section may be reduced if the requirements of this subsection are met. The determination of whether these requirements are met, with or without conditions, deemed necessary for consistency with this title, shall be made by the Director of the Community Development Department in the case of minor development; the Planning Commission in the case of major development; and the Planning Commission if the application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

Any waiver granted under this subsection shall be in writing and shall 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:

- (1) The granting of the waiver would result in more benefits than detriments to the community as a whole as identified by the comprehensive plan;
  - (2) The development is located outside of the PD-1 parking district, PD-2 parking district, and Downtown Fee in Lieu of Parking District Map areas;
  - (3) Granting the waiver will not result in adverse impacts to property in the neighboring area; and
  - (4) The waiver will not materially endanger public health, safety, or welfare.
- Applications for parking waivers shall be on a form specified by the director and shall be accompanied by a one-time fee of \$400. If the application is filed in conjunction with a major development permit, the fee shall be reduced by 20 percent.
  - The director shall mail notice of any complete parking waiver application to the owners of record of all 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 shall be made concurrently in accordance with CBJ 49.15.230.

Approved parking waivers shall expire upon a change in use.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**