

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION					
	Physical Address Glacier Highway - Auke Bay					
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USS 2391 LT 1, USS 3820 LT 3 TR A, USS 3820 LT 3B1					
	Parcel Number(s) 4B2801030121, 4B2801030150, 4B2801040220					
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____					
	LANDOWNER/ LESSEE					
	Property Owner CBJ	Contact Person Dan Bleidorn				
	Mailing Address 155 Heritage Way	Phone Number(s) 9075865252				
	E-mail Address Lands_Office@juneau.gov					
	LANDOWNER/ LESSEE CONSENT					
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.						
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.						
<table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;">Dan Bleidorn</td> <td style="width:50%; text-align:center;">Land Manager</td> </tr> <tr> <td style="text-align:center; font-size:small;">Landowner/Lessee (Printed Name)</td> <td style="text-align:center; font-size:small;">Title (e.g.: Landowner, Lessee)</td> </tr> </table>			Dan Bleidorn	Land Manager	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
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<table style="width:100%; border:none;"> <tr> <td style="width:60%; border:none;">x <u><i>Daniel Bleidorn</i></u></td> <td style="width:40%; border:none;"><u>07/16/2024</u></td> </tr> <tr> <td style="text-align:center; font-size:small;">Landowner/Lessee (Signature)</td> <td style="text-align:center; font-size:small;">Date</td> </tr> </table>			x <u><i>Daniel Bleidorn</i></u>	<u>07/16/2024</u>	Landowner/Lessee (Signature)	Date
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x _____	_____					
Landowner/Lessee (Signature)	Date					
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.						
APPLICANT						
If same as LANDOWNER, write "SAME"						
Applicant (Printed Name) Same	Contact Person					
Mailing Address	Phone Number(s)					
E-mail Address						
<table style="width:100%; border:none;"> <tr> <td style="width:60%; border:none;">x _____</td> <td style="width:40%; border:none;">_____</td> </tr> <tr> <td style="text-align:center; font-size:small;">Applicant's Signature</td> <td style="text-align:center; font-size:small;">Date of Application</td> </tr> </table>			x _____	_____	Applicant's Signature	Date of Application
x _____	_____					
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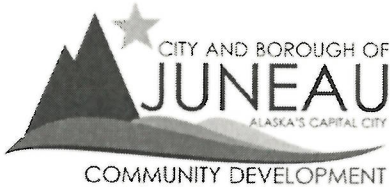
-----DEPARTMENT USE ONLY BELOW THIS LINE-----

Intake Initials TR	
Case Number ANE24-005	Date Received 7/31/24

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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





ZONE CHANGE 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

Auke Bay Rezone Request

IS THIS AN EXPANSION OF AN EXISTING ZONE?

Yes No

Total Land Area of Proposed Change 36 acres

Comprehensive Plan Land Use Designation NP

Current Zone(s) D3

Comprehensive Plan Map Letter F

New Zone Requested D15

TYPE OF ZONE CHANGE REQUESTED

Regular Transition

Has this or a similar zone change been requested in the previous 12 months?

Yes Case # _____ No

UTILITIES AVAILABLE

WATER: Public On Site

SEWER: Public On Site

ALL REQUIRED MATERIALS ATTACHED

- Complete application
- Pre-Application Conference notes
- Narrative including:
 - Purpose of the requested zone change
 - Any potential impacts to public infrastructure (streets, water, & sewer)
 - How the requested zone change comply with the maps and policies of the Comprehensive Plan
- Site Plan and/or map of proposed zone change (details on reverse side)

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

ZONE CHANGE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

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

Case Number	Date Received
AME24-005	7/31/24

Zone Change Application Information

Zone changes are outlined in CBJ 49.75 article I

Pre-Application Conference: A pre-application conference is encouraged prior to submitting an application. The applicant shall meet with City & Borough of Juneau (CBJ) staff to discuss the Zone Change process and analysis. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via email at Permits@juneau.org.

Application: An application for a Zone Change will not be accepted by the CBJ until it is determined to be complete. **Zone Change may only be applied for during January and July.** The items needed for a complete application are:

1. **Forms:** Completed Zone Change Application and Development Permit Application.
2. **Fees:** The fee for Zone Change Application is \$600.00. No work can be approved with a Zone Change. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the purpose for the requested zone change.
4. **Plans:** A site plan showing the following information:
 - A. The boundaries of the existing and proposed zone change and proposed buffers;
 - B. The location of existing structures (i.e. buildings, fences, signs, parking areas, etc.); and
 - C. The location of existing physical features of the site (i.e. drainage, topography, eagle trees, hazard areas, salmon streams, wetlands, etc.).
5. A traffic study may be required for zone changes.

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: 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 Zone Change request, the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. **Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed Zone Change.**

Hearing: Once an application has been reviewed by all applicable parties the Community Development Department will schedule the zone change for the next appropriate Planning Commission meeting. All Zone Change Applications will be reviewed by the Planning Commission who will send a recommendation to the Assembly. Following a recommendation of approval by the Planning Commission, the Community Development Department will coordinate the zone change review by the Assembly. In order for zone changes to become effective, they must be adopted by ordinance by the CBJ Assembly.

Public Notice Responsibilities: All Zone Change requests must be given the following public notice as outlined in CBJ 49.15.230:

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 notices to all property owners within 500-feet of the project site.

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Auke Bay Zone Change Request

Current zoning D3 Requesting D15

On November 8, the Division of Lands and Resources and CDD held an application meeting to discuss the potential rezone of a number of CBJ properties in order to facilitate the future development of CBJ owned property to meet community and assembly goals. Notes are attached

The Auke Bay property topography is favorable for development but contains areas of high value wetlands. Increased density will allow for pockets of development that avoid high value wetlands. In regard to CBJ landholding, this property is unique in that it has direct street access though the CBJ owned 4B2801040220 which has roughly 155 feet of road frontage on Glacier Highway. The proposed rezone from D3 to D15 would enable future development within the urban service boundary and allow for maximizing the value and use of this central Auke Bay property. This property is adjacent to Auke Bay Elementary. Impacts to public infrastructure could include additional cars on Glacier Highway, additional utility connections once developed in the future and an updated and much safer trailhead.

The Housing Action Plan adopted in 2016 states that “Publicly owned land and assets can be one of the most powerful tools a local government has to address housing availability and affordability issues.” (p. 42) and that “public land should be thought of not only as a means by which Juneau can encourage “beneficial private economic activity” and guide “a rational growth pattern,” but also, importantly, as a means by which Juneau can achieve key policy goals. These goals include filling key housing gaps” (p. 43). The *Implementation* section of the Housing Action Plan states that CBJ would “Ensure any CBJ-owned land slated for development is zoned for the least restrictive/highest density use, consistent with the Comprehensive Plan; rezone certain parcels as necessary.” (p. 45)

This property is also the Auke Nu trailhead with access to John Muir Cabin. If this property is rezoned there is an opportunity to provide additional parking for the trailhead and move parked vehicles away from the highway. This property is also located within the Urban Service Area Boundary (USAB), so it has water, sewer, electric and road access to the property line along Glacier Highway.

“Land within the USAB should be efficiently developed before its boundaries are extended to properties outside of the USAB. An efficient development would build to the maximum density” (2013 Comp Plan p. 19). Sub area 3 of the 2013 Comp Plan includes Auke Bay, this section of the Comp Plan includes *Guidelines and Considerations for Subarea 3*. The Guidelines and Considerations for Subarea 3 say to “Encourage high-density, transit-oriented residential and/or mixed-use developments in the Auke Bay “village” area and around the University, particularly for student and faculty affordable housing” (p. 177).

The 2015 Auke Bay Area Plan states that “Three major roads converge in Auke Bay (Glacier Highway (north- & south-bound) and Mendenhall Loop Road) and bring people from all over the

Borough. These roads carry a high volume of traffic. Commercial businesses, places of residence and boat harbors have all been developed along this highway.” (p. 1). The connectivity of Auke Bay and the proximity to the Glacier Highway as a connector will create an efficient flow and connectivity from future residential housing to all parts of the Borough.

The 2013 Comprehensive Plan states that ““Due to this paucity of flat, dry land within the sewer USAB, it is critical that the CBJ government identify the most buildable lands within the USAB and make the most efficient use of those limited resources by increasing residential densities along public transit corridors” (p. 21).

“In addition, Juneau cannot afford to build infrastructure and then allow low-intensity development to use it. That is the very definition of private gain at public expense. The cost of such infrastructure is just too high, and allowing low-intensity development to benefit from expensive infrastructure means the rest of the community is paying to subsidize the infrastructure for those areas.” (2016 Housing Action Plan, p. 47)

Recap:

Larger than 2 acres (~37 acres).

Request from D3 to D15

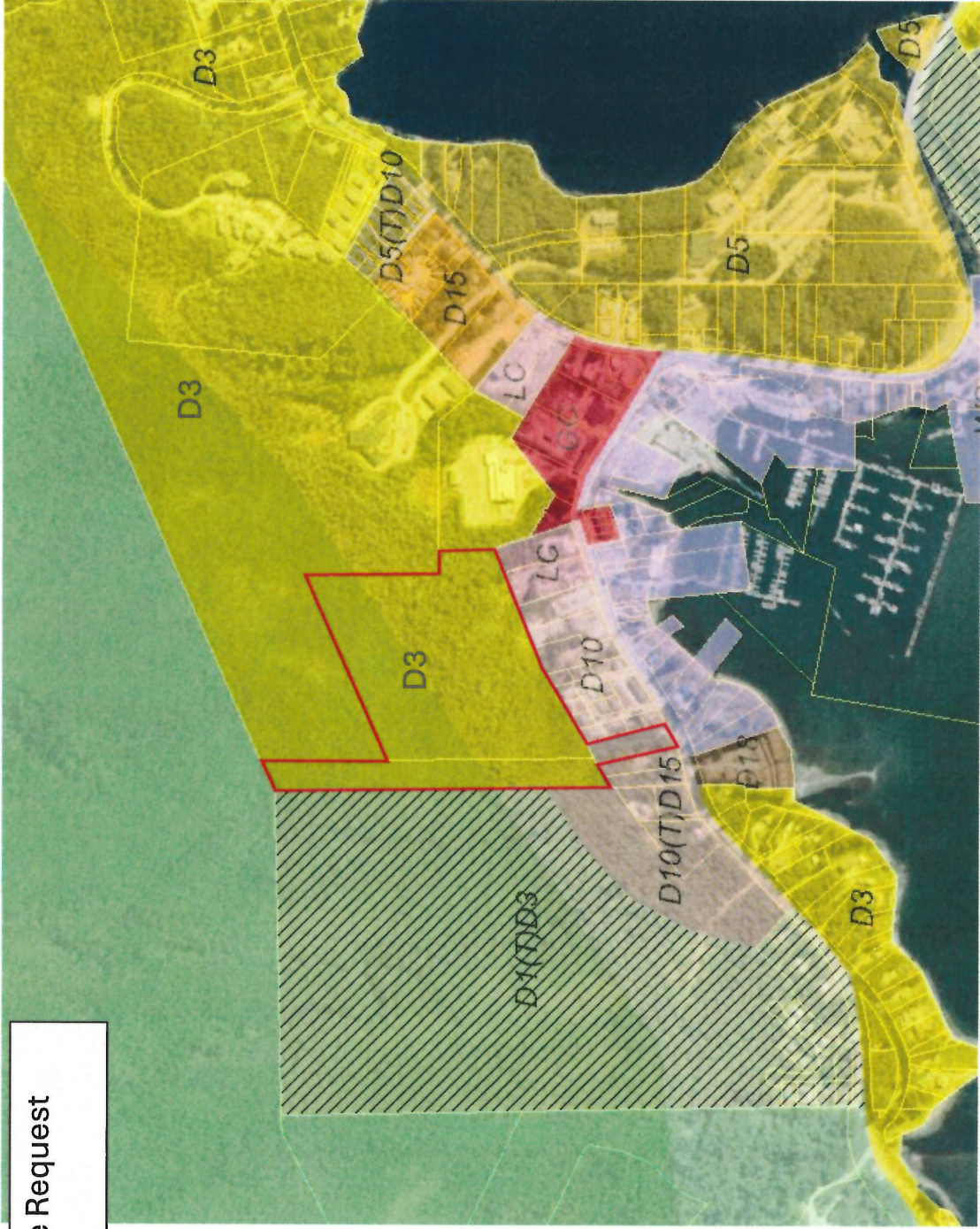
Conforms with Assembly goals.

Inside urban service boundary.

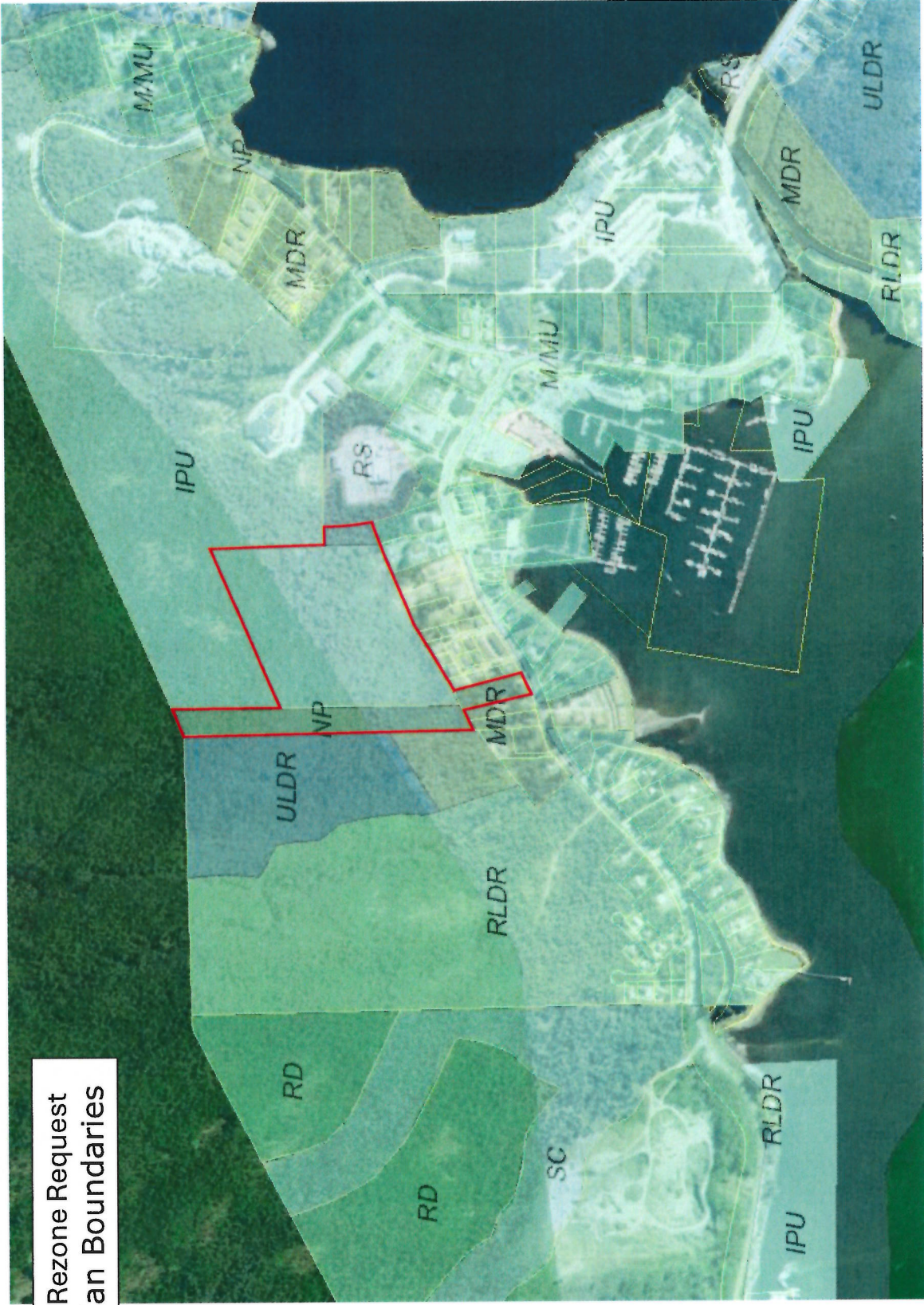
Rare CBJ property along Highway.

D15 allows for habitat preservation.

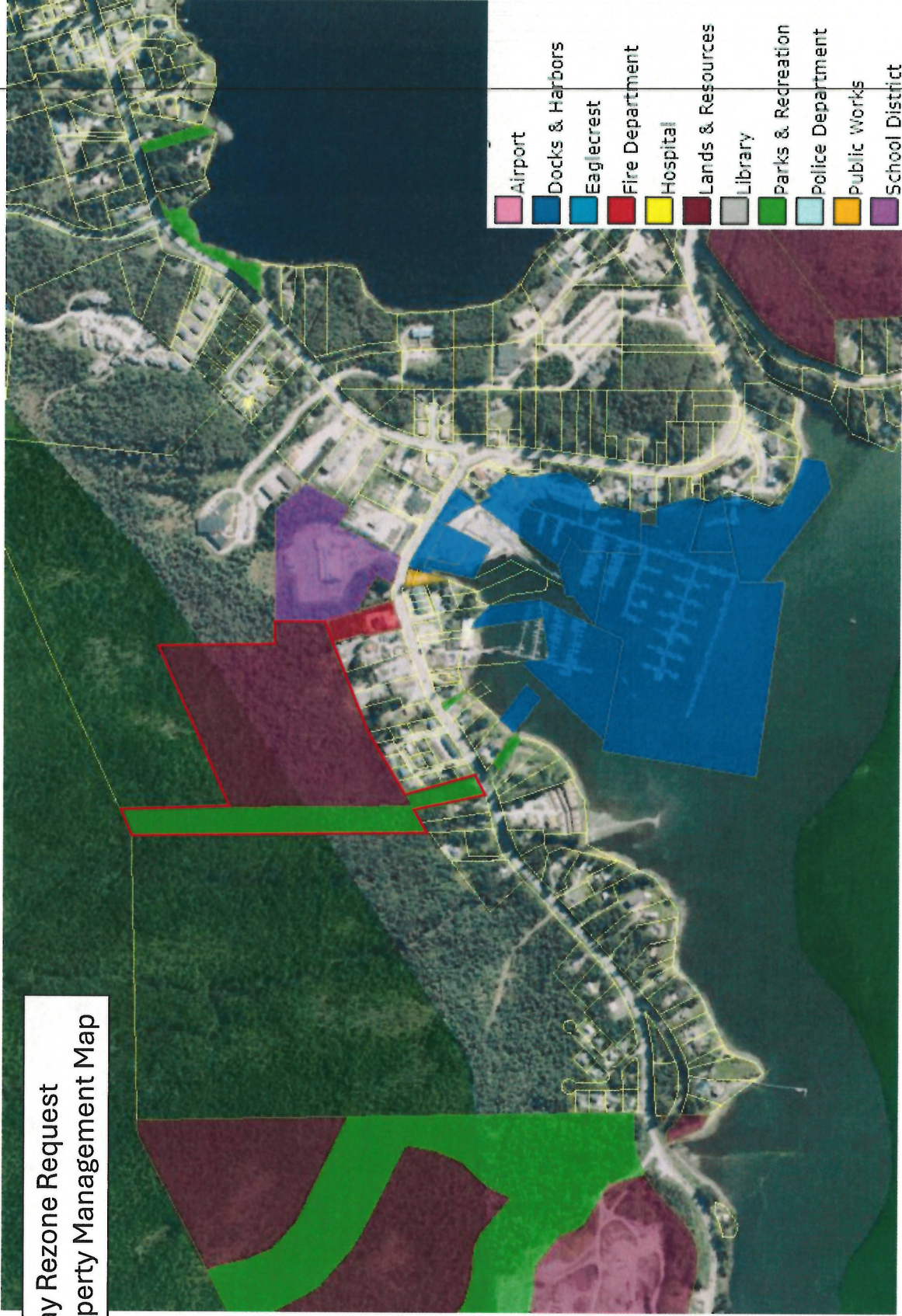
Auke Bay Rezone Request
Current Zoning



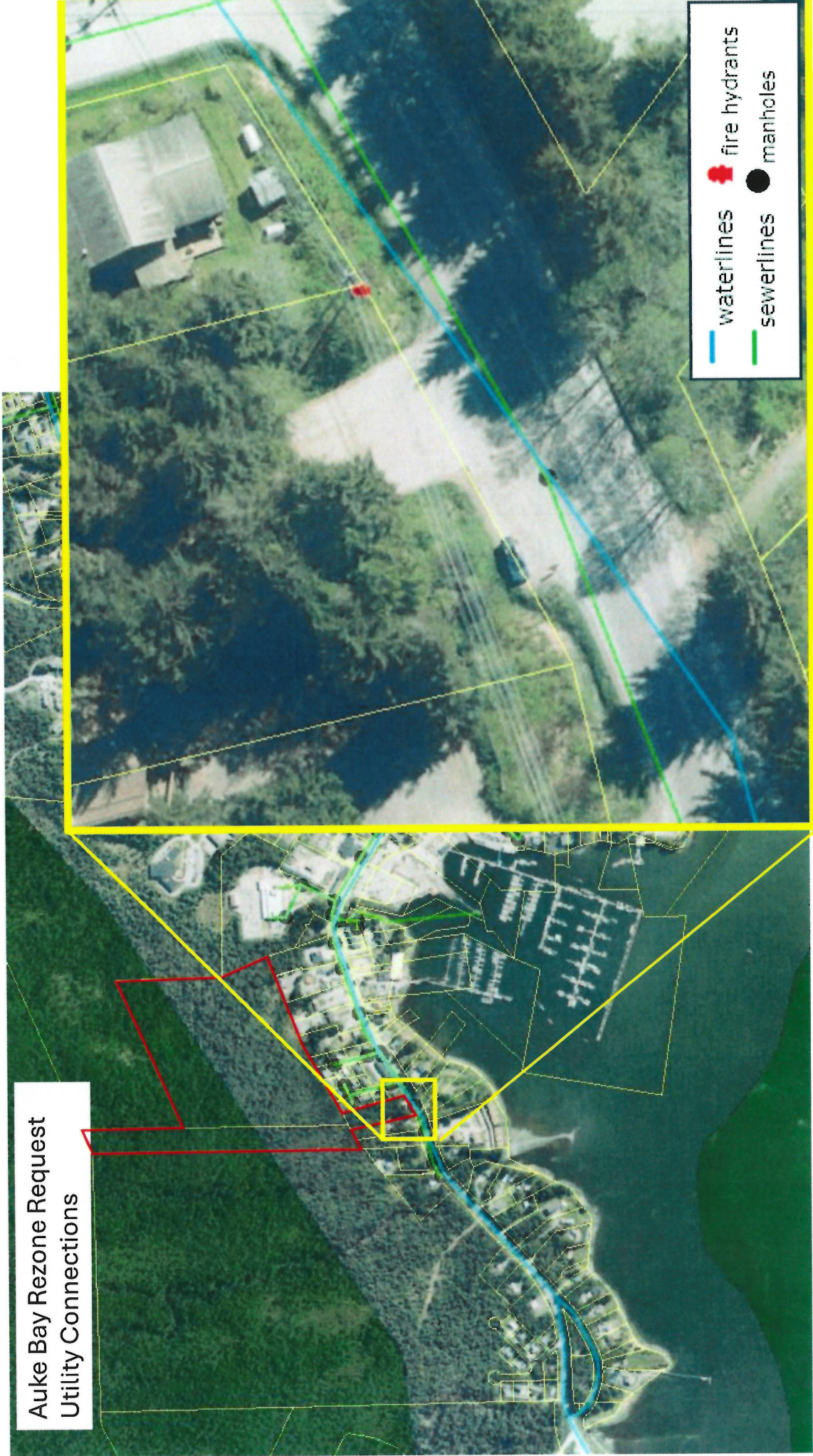
Auke Bay Rezone Request
Comp Plan Boundaries



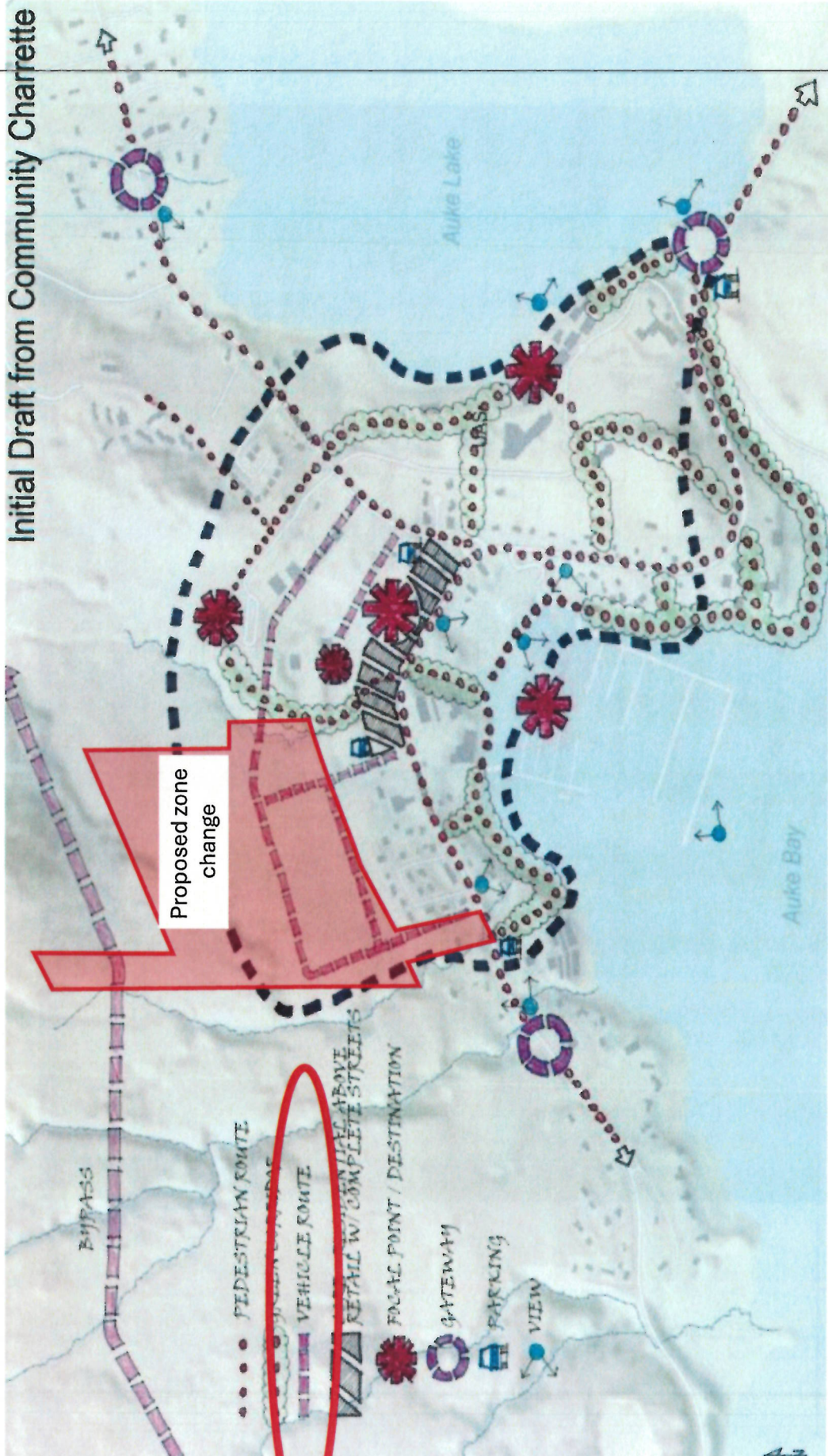
Auke Bay Rezone Request
CBJ Property Management Map



Auke Bay Rezoning Request
Utility Connections

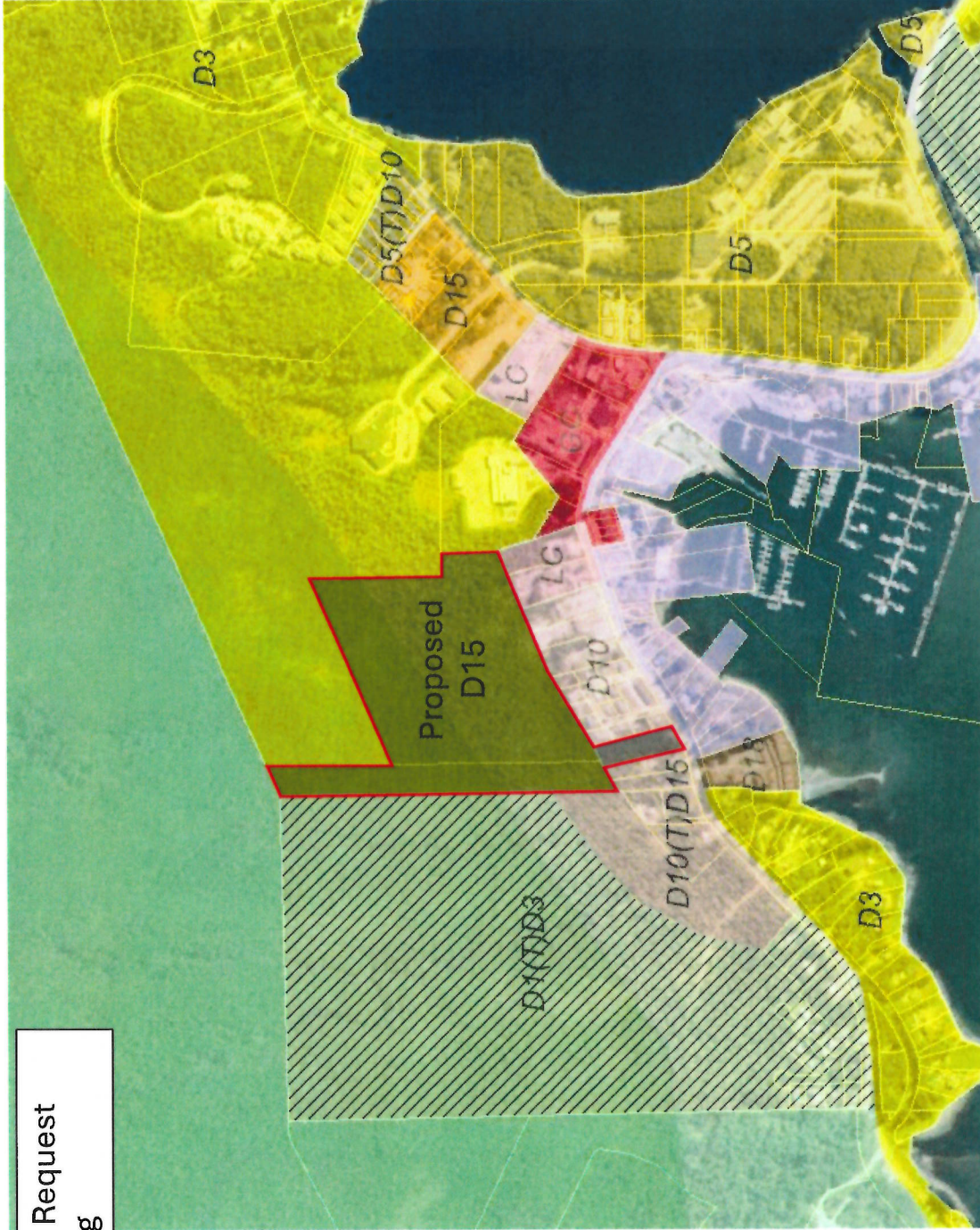


Initial Draft from Community Charrette



“This map was the initial draft from the community and represents the long-range vision for the area. As the area develops and priorities evolve, the map will need to be reviewed and updated from time to time.”

Auke Bay Rezone Request
Requested Zoning





(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

Case name

Case Number: PAC2023 0045
 Applicant: Dan Bleidorn
 Property Owner: CBJ & private
 Property Address: Multiple properties (Auke Bay)
 Parcel Code Number: 4B2801030121, 4B2801030150, 4B2801040220, 4B2801040270
 Site Size: Multiple size
 Zoning: Multiple Zoning
 Existing Land Use: Vacant

Conference Date: November 8, 2023

Report Issued: November 22, 2023

DISCLAIMER: Pre-application conferences are conducted for the purpose 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
Dan Bleidorn	Applicant	Dan.Bleidorn@juneau.gov
Emily Suarez	Planning	Emily.Suarez@juneau.gov
Eddie Quinto	Permits	Edward.Quinto@juneau.gov
	General Engineering	xxx.xxx@juneau.gov

Revised 5/07/2021

Conference Summary

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

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

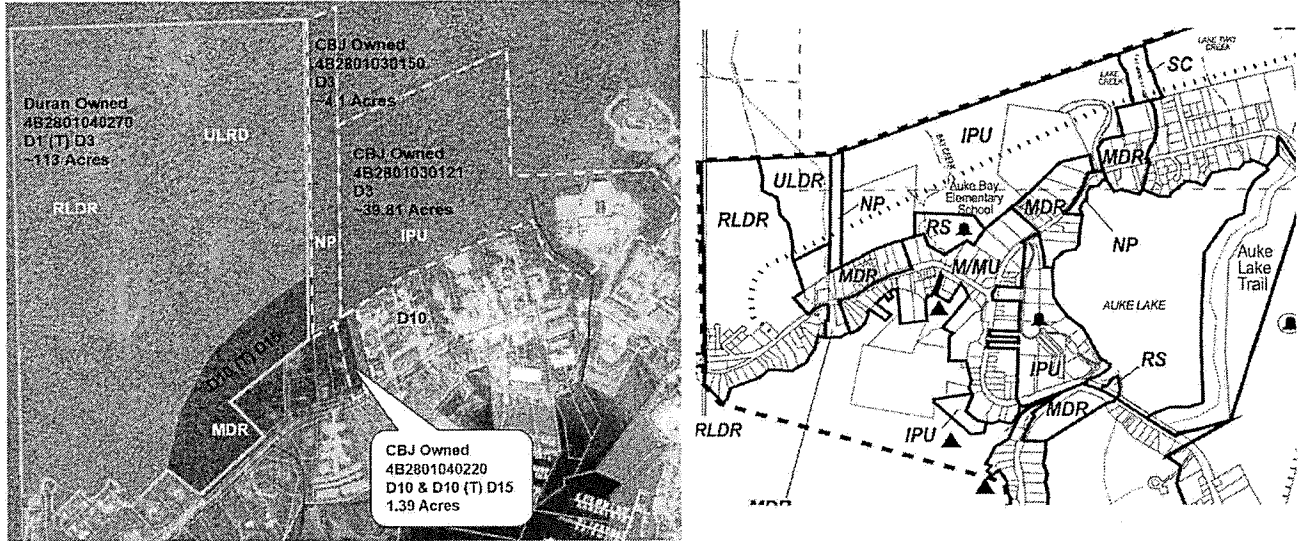
Project Overview

Rezone process/criteria: CBJ 49.75 Article I, Rezoning.

CBJ 49.75.110. *Initiation.* A rezoning may be initiated by the director, the commission or the assembly at any time during the year. A developer or property owner may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.

CBJ 49.75.120. *Restrictions on Rezoning.* Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezone requests which are substantially the same as a rezoning request rejected within the previous twelve months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zone district and the used allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

The lots have different zoning designations. The proposed re-zone (D10/D15) would be an expansion of existing zoning. The privately owned lot has two transition zones, D1 (T) D3 and D10 (T) D15. Up-zoning transitions are feasible when water and sewer services are available. Substantial conformance with the maps of the 2013 Comprehensive Plan will need to be established.



Links to the 2013 Comprehensive Plan and 2015 Auke Bay Area Plan can be found below.

Links: [2013 Comprehensive Plan](#)

[2015 Auke Bay Area Plan](#)

Planning Division

1. **Zoning** – The proposal is to re-zone four (4) lots from D3 to D10 and D15. The D-3, residential district, is intended to accommodate primarily single-family and duplex residential development at a density of three dwelling units per acre. D-3 zoned lands are primarily located outside the urban service boundary where public utilities are not provided [49.25.2.10(b)].

the D-10 and D-15, residential districts, are intended to accommodate primarily multifamily residential development at 10 and 15 units per acre respectively. These are relatively low-density multifamily districts. Many uses allowed in D3 are allowed in D10 and D15 [49.25.2.10(e)].

In the 2013 Comprehensive Plan, this area is characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units. Any commercial development should be of a scale consistent with a single-family residential neighborhood.

The 2015 Auke Bay Area Plan promotes rezoning within the area and recommends the review of the area plan to avoid incompatible land use during the rezoning process.

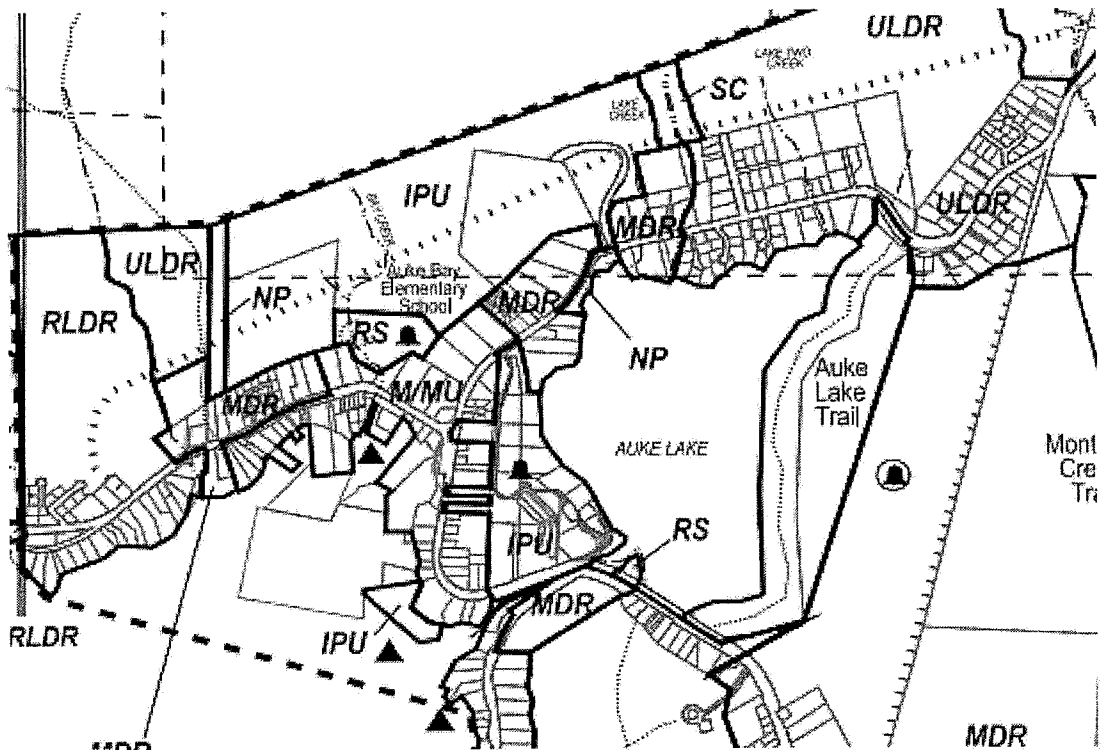
Minimum dimensional standards:

Lot requirement	D3	D10	D15
Minimum lot size	12,000 SF	6,000 SF	5,000 SF
Minimum lot size (Bungalow)	6,000 SF	3,000 SF	3,000 SF
Minimum lot size (Duplex)	18,000 SF	Not allowed	Not allowed
Minimum lot size (Common wall)	Not allowed	5,000 SF	3,500 SF
Minimum lot width	100 feet	50 feet	50 feet
Minimum lot width (Bungalow)	50 feet	25 feet	25 feet
Minimum lot width (Common wall)	Not allowed	40 feet	30 feet

2. **Land Use Designations** – The re-zone proposal is in Subarea 3, Map E of the 2013 Comprehensive Plan. The areas identified on Map E are classified as:
 - **Rural/Low Density Residential (RLDR).** Rural residential land at densities of one to three dwelling units per acre, based on existing platting and capability of the land to accommodate on-site septic systems and wells or whether the land is served by municipal water and sewer service.
 - **Urban/Low Density Residential (ULDR).** These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBI 49.25.300).
 - **Medium Density Residential (MDR).** These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBI 49.25.300).
 - **Institutional and Public Use (IPU).** Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat

harbors, schools, parks, farmers markets, publicly-supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities and road and public transit system easements. Also included are public aircraft facilities. The public use of these lands will vary widely, so IPU-designated lands can be under any zoning district, with the uses thereon appropriate for that zone as regulated in the Table of Permissible Uses (CBJ 49.25.300); the zone of any particular public use should be the same district as the surrounding or abutting lands.

- **Natural Area Park (NP).** Natural Area Parks are CBJ-owned lands characterized by areas of natural quality designed to serve the entire community by providing fish and wildlife habitat, open space/natural areas, access to water, and opportunities for passive and dispersed recreation activities. No development should be permitted other than structures, roads and trails necessary for the maintenance and protection of the resources or for managed public access for education and passive recreation purposes; this may include parking areas, educational kiosks, cabins, rest stations and similar convenience services for the recreational enthusiast. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities. The CBJ should retain ownership of these lands.
- **Recreational Service Park (RS).** Recreation Service Parks include CBJ-owned lands with parks developed for active recreation, programmed use, and/or community gardens. Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS designated lands. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities beyond those accessory to park development. The CBJ should retain ownership of these lands. As many of the existing RS-designated lands are smaller than the minimum area required for a unique zone, these lands must be within the zoning district that surrounds or abuts them.



3. Table of Permissible Uses –

Use Description	D3	D10	D15
1.110 Single-family detached, one dwelling per lot	Allowed	Allowed	Allowed
1.121 Single-family detached, two dwellings per lot	Allowed	Not allowed	Not allowed
1.130 Single-family detached, accessory apartment	Allowed if minor development. CUP required if major development.	Allowed if minor development. CUP required if major development.	Allowed if minor development. CUP required if major development.
1.140 Single-family detached, two dwellings per lot, accessory apartments	Allowed if minor development. CUP required if major development.	Not allowed	Not allowed
1.200 Duplex	Allowed	Allowed	Allowed
1.300 Multifamily	Not allowed	Allowed if minor development. CUP required if major development.	Allowed if minor development. CUP required if major development.
1.910 Common wall, two dwelling units	Not allowed	Allowed	Allowed
1.920 Common wall, three or more dwelling units	Not allowed	Allowed if minor development. CUP required if major development.	Allowed if minor development. CUP required if major development.

4. Subdivision – N/A

5. Setbacks –

Minimum setbacks required	D3	D10	D15
Front yard setback	25 feet	20 feet	20 feet
Rear yard setback	25 feet	20 feet	15 feet
Side yard setback	10 feet	5 feet	5 feet
Street side yard setback	17 feet	13 feet	13 feet

6. Height –

Maximum height permissible	D3	D10	D15
Permissible uses	35 feet	35 feet	35 feet
Accessory uses	25 feet	25 feet	25 feet

7. **Access** – According to the roadway classification Map B, Glacier Highway is classified as an arterial. The transportation section of the 2015 Auke Bay Area Plan recommends preservation of space for a future right-of-way for the DOT&PF bypass route north of the developed areas of Auke Bay.
8. **Parking & Circulation**– Parking requirements will need to comply with CBJ 40.40.210(a)
9. **Lot Coverage** – Minimum lot coverage is 35% for D3; 50% for D10 & D15.
10. **Vegetative Coverage** – Minimum vegetative cover is 20% for D3; 30% for D10 & D15.
11. **Lighting** – N/A
12. **Noise** –N/A
13. **Flood** – Lots are not in a mapped flood zone.
14. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Lots are not in a mapped hazard area.
15. **Wetlands** – Lots are within mapped wetlands. Special regulations may apply.
16. **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.

The Alaska Department of Fish and Game (ADF&G) notes four streams flowing into Auke Bay that have been officially catalogued as anadromous waters. Six additional cataloged streams supporting anadromous fish flow into Auke Lake, itself a cataloged lake.

These waterbodies are protected by a minimum 50-foot, no development, habitat setbacks in the CBJ Land Use Code, section 49.70.310, and are designated as Stream Corridor in the Comprehensive Plan.
17. **Plat or Covenant Restrictions** – N/A.
18. **Traffic** – A Traffic Impact Analysis (TIA) is required for development that are projected to generate 500 or more average daily trips (ADT) (49.40.300). A TIA may be required if determined that the future uses of the proposed rezone will have an impact on safety or travel.

ADOT&PF TIA review required if:
 - A project directly accesses ADOT&PF infrastructure, OR
 - If indirect access will increase trips on ADOT&PF infrastructure by more than 100 trips.
19. **Nonconforming situations** – There are no known nonconforming situations.

Building Division

20. **Building** –
21. **Outstanding Permits** –

General Engineering/Public Works

22. **Engineering** –
23. **Drainage** –
24. **Utilities** – (water, power, sewer, etc.)

Fire Marshal

25. **Fire Items/Access** –

Other Applicable Agency Review

26. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...

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. Rezone Application (AME)
2. Development Permit Application (DPA)

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.
2. Application forms
3. A narrative including the following:
 - a. Potential impacts to public infrastructure
 - b. How the requested rezone complies with both the maps and the policies of the Comprehensive Plan and the Auke Bay Area Plan.
 - c. A comparison between uses that may become nonconforming with the proposed zone change and uses that may become conforming with the proposed zone change.
4. A site plan that identifies the proposed area for zone change
5. Fees

Exceptions to Submittal Requirements

Submittal requirements that 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. Zone changes: \$600
2. Public Notice Sign: \$150, with a \$100 refundable if the sign is returned within seven days of the scheduled hearing date.

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

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov

OR in person with payment made to:

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

Phone: (907) 586-0715
Web: www.juneau.org/community-development

Attachments:

- 49.25.300 – Table of Permissible Uses
- 49.75 Article I – Rezoning
- DPA – Development Permit Application
- AME – Zone Change Application

**Chapter 49.75 REZONINGS, SPECIAL STANDARDS, REGULATIONS AND TEXT
AMENDMENTS**

ARTICLE I. REZONINGS

49.75.110 Initiation.

A rezoning may be initiated by the director, the commission, or the assembly at any time during the year. A developer or property owner may initiate a request for rezoning in January or July only. Adequate public notice shall be provided by the director to inform the public that a rezoning has been initiated.

(Serial No. 87-49, § 2, 1987)

49.75.120 Restrictions on rezonings.

Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

(Serial No. 87-49, § 2, 1987; Serial No. 2012-31(b), § 2, 8-27-2012)

49.75.130 Procedure.

A rezoning shall follow the procedure for a major development permit except for the following:

- (a) The commission shall make a recommendation to the assembly to approve, approve with modifications, or deny a rezoning request. The commission shall prepare written findings in support of its recommendation. The commission's notice of recommendation shall be posted on the department's website within ten days of the public hearing on the proposed rezone. If the commission recommends approval of the rezoning request or approval with modifications, the director shall forward the commission's written recommendation to the assembly with an ordinance to amend the official zoning map in accordance with the recommendation. If the commission recommends denial, the amendment shall be deemed disapproved unless the applicant files a notice of protest in accordance with CBJ 49.75.130(b).
- (b) Protests.
 - (1) An applicant may protest the commission's recommendation to deny the rezoning by filing a written statement with the municipal clerk within 20 days of the commission's written notice of recommendation for denial, requesting that an ordinance amending the zoning map as set out in the application be submitted for action by the assembly. The director shall, within 30 days of the filing of the protest with the municipal clerk, prepare a draft ordinance to be appended to the notice of recommendation for consideration by the assembly.

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- (2) Any person may protest the commission's recommendation to approve a rezoning request or approve a rezoning request with modification by filing a written protest with the municipal clerk within 20 days of the commission's written notice of recommendation.
 - (3) In the case of a timely filed protest and after introduction of the proposed ordinance at a regularly scheduled assembly meeting, the assembly shall hold a public hearing on the proposed rezoning. At the close of the hearing, the assembly shall approve the zoning map amendment as recommended by the commission, approve the zoning map amendment with modifications, or deny the zoning map amendment.
- (c) All rezonings shall be adopted by ordinance, and any conditions thereon shall be contained in the ordinance. Upon adoption of any such ordinance, the director shall cause the official zoning map to be amended in accordance with the adopted ordinance.

(Serial No. 87-49, § 2, 1987; Serial No. 2012-11, § 2, 4-2-2012 ; Serial No. 2014-14(c)am , § 2, 4-6-2015, eff. 5-7-2015; Serial No. 2015-03(c)(am), § 57, 8-31-2015)

ARTICLE II. SPECIAL STANDARDS

49.75.210 Bonus standards and criteria.

The commission may adopt regulations under chapter 01.60, establishing standards and criteria for awarding bonuses.

(Serial No. 87-49, § 2, 1987; Serial No. 96-41, § 18, 1996)

49.75.220 Historic district design review standards.

- (a) The commission may adopt and enforce regulations under chapter 01.60, establishing standards for the historic district.
- (b) Such standards may include criteria relating to:
 - (1) The relationship of structures to the site and to each other;
 - (2) The relationship of structures to adjoining sites and structures;
 - (3) Landscaping and site treatment;
 - (4) Building and structure design, including:
 - (A) Architectural style;
 - (B) Use of color, including exterior structure lighting;
 - (C) Location and visibility of mechanical equipment;
 - (D) Exterior site lighting; and
 - (E) Variations in multi-structure developments.
 - (5) Design features, arrangement, location, color, illumination and similar features of signs not otherwise regulated by this title;
 - (6) Design and aesthetic standards for outside furniture and miscellaneous structures; and

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- (7) Such other matters as may be appropriate and which will help provide consistency in agency decisions and guidance to property owners in making site development plan applications.

(Serial No. 87-49, § 2, 1987; Serial No. 96-41, § 19, 1996; Serial No. 99-22, § 14, 1999)

Administrative Code of Regulations cross references—Design review district standards, Part IV, § 04 CBJAC 060.010 et seq.; historic district standards, Part IV, § 04 CBJAC 080.010 et seq.

ARTICLE IV. TEXT AMENDMENTS

49.75.410 Text amendments.

- (a) *Commission initiated.* The commission shall initiate an amendment to this title by holding a public hearing to consider whether it should recommend such amendment to the assembly. The director shall provide at least ten days public notice of the hearing.
- (b) *Assembly initiated.* The assembly shall initiate an amendment to this title by referring such amendment to the commission for proceeding in accordance with subsection (a) of this section.

(Serial No. 87-49, § 2, 1987)

PART II - CODE OF ORDINANCES
TITLE 49 - LAND USE
Chapter 49.70 - SPECIFIED AREA PROVISIONS
ARTICLE II. HILLSIDE DEVELOPMENT

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

(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)

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.

(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)

