

Presented by: The Manager
Presented: 06/13/2022
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-36

**An Ordinance Amending the Land Use Code Relating to the Downtown
Juneau Alternative Development Overlay District.**

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. Repeal and Reenactment of Article. Article XII of Chapter 49.70 Alternative Development Overlay District, is repealed and reenacted as follows:

ARTICLE XII. ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

**DIVISION 1. - DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY
DISTRICT**

49.70.1200 Purpose.

The purpose of this article is to establish optional alternative dimensional standards for residential development that are consistent with the built environment in established neighborhoods, reduce the number of nonconforming situations, and support public health, safety and welfare.

1
2 **49.70.1210 Applicability.**

3 (a) This article applies to property within the Downtown Juneau Alternative Development
4 Overlay District (ADOD) boundary as shown on the map entitled Ord. 2021-36 Appendix A.

5 (b) Participation in the Downtown Juneau ADOD to facilitate conforming residential
6 development is optional.

7 (c) Property subject to or permitted by this article is limited to residential uses only.
8

9 (d) This article specifically modifies certain dimensional standards. Unless noted in this section,
10 all remaining requirements of the underlying zoning district apply.

11 (e) This article does not modify permissible uses or the processes outlined in 49.15 Article II.

12 (f) When a landowner chooses to develop according to Downtown Juneau ADOD standards,
13 the development must conform to all the standards outlined in 49.70.1230 and 49.70.1240.

14 (g) Downtown Juneau ADOD standards may be applied to a new subdivision within the
15 ADOD boundary.

16 (h) Existing nonconforming lots and structures may be further developed following Downtown
17 Juneau ADOD standards. Expansion of nonconforming structures must meet either the
18 Downtown Juneau ADOD standards or the underlying zoning standards. The two standards
19 cannot be combined.
20

21
22 **49.70.1220 Downtown Juneau Alternative Development Overlay District procedure.**

23 (a) An applicant affirms their participation in the Downtown Juneau Alternative Development
24 Overlay District by submitting an alternative development permit application with their
25 development permit application, and any other applications that may be required.

(b) The processes will be governed by corresponding permit type in accordance with Chapter 49.15.

49.70.1230 Downtown Juneau Alternative Development Overlay District Standards.

The following dimensional standards apply to lots within the Downtown Juneau ADOD boundary regardless of their underlying zoning district designation.

(a) Lot size.

(1) Minimum lot size is 3,000 square feet.

(2) Minimum lot size for a duplex is 4,500 square feet.

(3) Minimum lot size for a common wall structure is 3,000 square feet.

(b) Lot width.

(1) Minimum lot width is 25 feet.

(c) Minimum vegetative cover is 15 percent.

(d) Structure height.

(1) Maximum height for primary uses is 35 feet.

(2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

(1) Setbacks will be measured from the structure closest to the lot line.

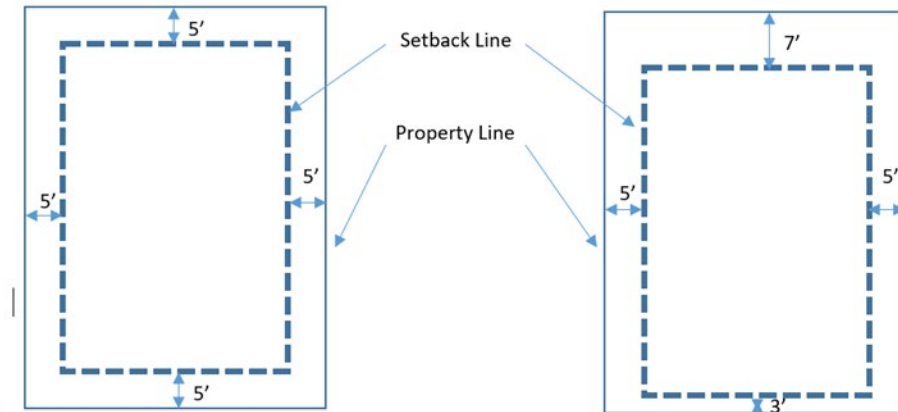
(2) The minimum setback for any lot line is three feet.

(3) Cumulative setback amount:

(A) The sum of all setbacks must equal at least 20 feet.

(B) If lot size is less than required in this section, the required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any setback be less than three feet.

Examples



§1230 Fig. 1

§1230 Fig. 2

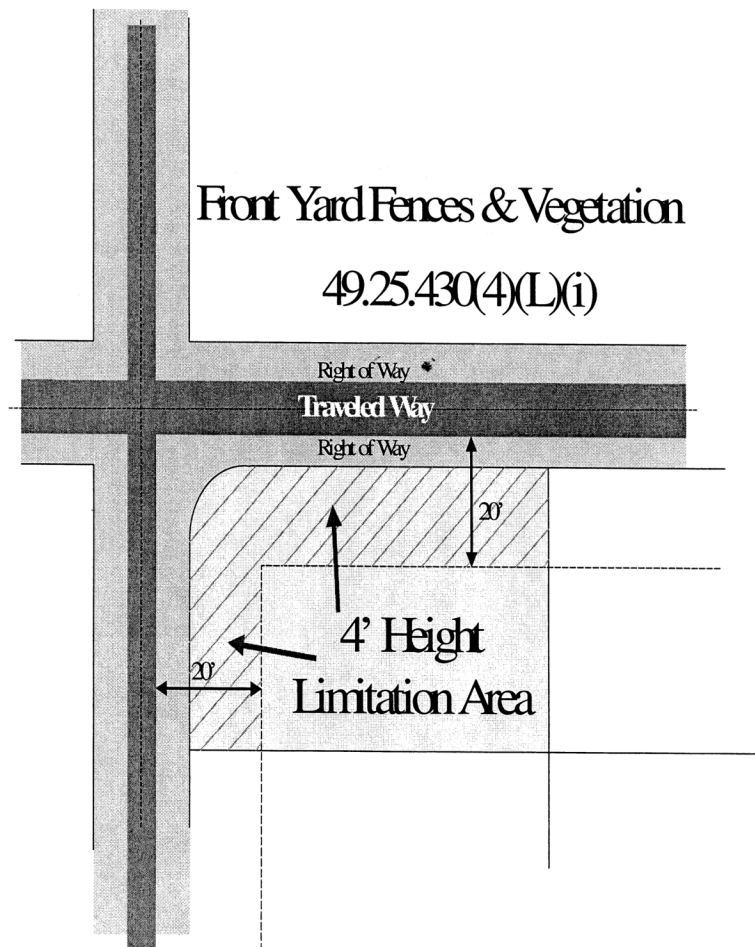
49.70.1240 Yard Setback Exceptions.

(a) Purpose. This section clarifies the setback exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted elements do not count toward the setback total.

(b) Exception categories.

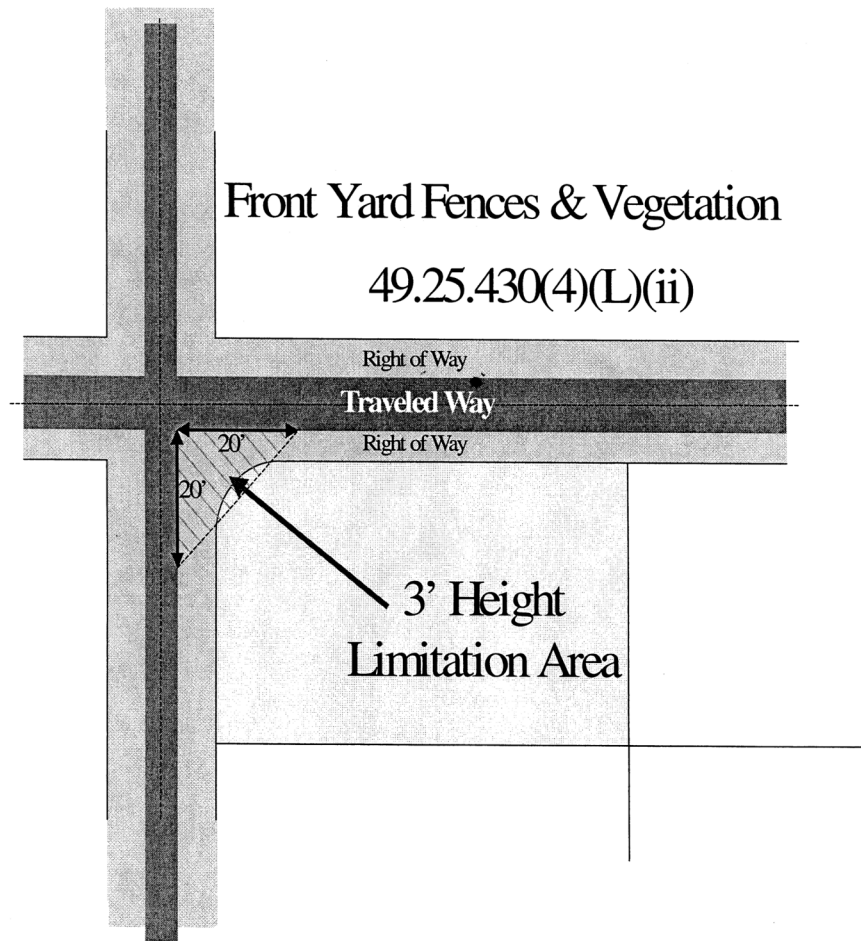
- (1) Architectural features and roof eaves may project into a required yard, but not closer than two feet from the side or rear lot lines.
- (2) Access structures, such as stairways, ramps, and landings with or without roofs, may extend to the lot line abutting a public right-of-way provided the structure does not exceed five feet in internal width exclusive of support structure.
- (3) A parking deck is exempt from the setback requirements of this chapter.
- (4) Fences and vegetation. For this section, a "traveled way" is defined as the edge of the roadway shoulder or the curb closest to property.

- 1
- 2 (A) The maximum height of a sight obscuring fence or vegetation shall not exceed
- 3 four feet within 20 feet of the edge of the traveled way. Trees are allowed
- 4 within 20 feet of the edge of the traveled way provided they do not obscure view
- 5 from a height of four feet to a height of eight feet above the ground;
- 6



- 22 (B) On corner lots the maximum height of a sight-obscuring fence or vegetation
- 23 located within 20 feet of a street intersection shall not exceed three feet. The
- 24 area in which sight-obscuring fences and vegetation is restricted shall be
- 25 determined by extending the edge of the traveled ways to a point of
- intersection, then measuring back 20 feet, then connecting the points. In this

area, vegetation shall be maintained to a maximum height of three feet. Trees are allowed in this area provided the trees do not obscure view from a height of three to eight feet above the ground.



(5) Energy efficiency. Energy efficiency improvements that do not increase interior square footage, such as exterior insulation, may project up to eight inches into a required yard. An energy efficiency improvement may not be approved under this section if it projects into the right-of-way or across a property line.

Section 3. Amendment of Section. CBJC 49.80.120 Definitions, is amended by adding a new definition in alphabetical order to read:

49.80.120 Definitions.

...

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail.

...

Section 4. Amendment of Section. CBJC 49.85.100 Fees for Land Use Action;
Generally, is amended to read:

49.85.100 Generally.

Processing fees are established for each development, platting, and other land use action in accordance with the following schedule:

...

(10) Variances and alternative development permits.

- (A) Administrative variance, \$120.00;
(B) Non-administrative variance, \$400.00;
~~(C) Alternative development permit, \$400.00.~~

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Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2022.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk