

**DRAFT ORDINANCE**

Presented by: The Manager  
Introduced:  
Drafted by:

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

**Serial No. 2019-XX**

**An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District, and the Auke Bay 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. Amendment of Chapter.** Chapter 49.25 Zoning Districts is amended to read:

**Chapter 49.25 – ZONING DISTRICTS**

**ARTICLE II. ZONING DISTRICTS**

**49.25.220 Mixed use districts.**

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

**49.25.230 Commercial districts.**

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that is less

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intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

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**ARTICLE III. TABLE OF PERMISSIBLE USES**

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**49.25.300 TABLE OF PERMISSIBLE USES**

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		Zones																
Use Description		RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I	NC	MU3
1.000	RESIDENTIAL																	
1.100	Single-family dwellings																	
1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1	1 <sup>A</sup>	1 <sup>A</sup>		
1.120	Single-family detached, two dwellings per lot	1	1	1														
1.130	Single-family detached, accessory apartment <sup>x</sup>	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				
1.140	Single-family detached, two dwellings per lot, accessory apartments <sup>x</sup>	1, 3	1, 3	1, 3														
1.200	Duplex	1	1	1	1		1	1	1	1	1	1	1	1				
1.300	Multifamily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3			1, 3	1, 3
1.500	Child and Day care homes																	
1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1				1	
1.520	Reserved																	

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1	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
2	1.540	Reserved																		
3	1.550	Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3	3				3	
4	1.600	Miscellaneous, rooms for rent situations																		
5																				
6	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 <sup>N</sup>				1, 3	
7																				
8	1.620	Hotels, motels	3					-	-		1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>	3 <sup>N</sup>			1, 3	1, 3
9																				
10	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				1, 3	1, 3
11	1.700	Home occupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
12	1.800	Mobile homes																		
13																				
14	1.810	Residential mobile homes on individual lots <sup>E</sup>	3	3	3															
15																				
16																				
17																				
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1	1.815	Caretakers mobile homes on individual lots <sup>E</sup>	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3		
2	1.820	Mobile home parks <sup>E</sup>				3	3	3	3	3	3								
3	1.830	Mobile home subdivision <sup>E</sup>			3	3	3	3	3	3	3								
4	1.840	Recreational vehicle parks <sup>F</sup>	3 <sup>F</sup>	3 <sup>F</sup>	3 <sup>F</sup>														
5	1.900	Common wall development																	
6	1.910	Two dwelling units			1	1	1	1	1										
7	1.911	Accessory apartments <sup>X</sup>	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				
8	1.920	Three or more dwelling units				1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3					1, 3	
9	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3	3		3					
10	2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT <sup>G</sup>																	
11	2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																	
12	2.110	<i>Reserved</i>																	
13	2.120	Miscellaneous									1	1	1	1	3 <sup>N</sup>	3 <sup>N</sup>	3	1	1

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1	2.130	Marine merchandise and equipment	3 <sup>T</sup>								1, 3	1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>	3	1	1
2	2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods									1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>	3 <sup>N</sup>	3		
3	2.300	Marijuana retail store	3								3	3	3	3	3	3	3		3
4	3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES <sup>G</sup>																	
5	3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 <sup>N</sup>			1	1
6	3.100	Offices greater than 1,000 but not more than 2,500 square feet					3	3	3	1	1	1	1	3 <sup>N</sup>				1	1
7	3.200	<i>Reserved</i>																	
8	3.300	Research, laboratory uses	3 <sup>T</sup>								1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , :	1 <sup>N</sup> , :	1, 3		1, 3
9	3.400	Offices greater than 2,500 square feet									1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , :		3 <sup>S</sup>	1,3	1,3
10	3.500	Marijuana testing facility	3								3	3	3	3			3		
11	4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS <sup>G</sup>																	
12	4.050	Light manufacturing	3 <sup>T</sup>						3	3	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , :	1 <sup>N</sup> , :	1, 3	1,3	1,3
13	4.070	Medium manufacturing	3 <sup>T</sup>									3	3	3	3 <sup>N</sup>	1 <sup>N</sup> , :	1, 3		

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1	4.100	Heavy manufacturing	3 <sup>T</sup>	3 <sup>Q</sup>												3 <sup>N</sup>	3			
2	4.150	Rock crusher	3 <sup>T</sup>	1 <sup>Q</sup>	1 <sup>Q</sup>											3 <sup>N</sup>	3			
3	4.200	Storage of explosives and ammunition	3													3 <sup>N</sup>	3			
4	4.210	Seafood processing	3 <sup>T</sup>											3	1, 3	1, 3				
5	4.220	Marijuana product manufacturing facility	3 <sup>AC</sup>							3	3					3				
6	5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																		
7	5.100	Schools																		
8	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3	3				3	
9	5.120	Trade, vocational schools, commercial schools	3 <sup>T</sup>							3	3	3	3	3 <sup>N</sup>	3 <sup>N</sup>	3		3		
10	5.130	Colleges, universities	3 <sup>T</sup>	3	3	3	3	3	3	3	3	3	3	3 <sup>N</sup>	3 <sup>N</sup>	3	3			
11	5.200	Churches, synagogues, temples	3 <sup>T</sup>	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	1, 3	3	3		
12	5.300	Libraries, museums, art galleries	3 <sup>T</sup>	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>			1, 3	1, 3	
13	5.400	Social, fraternal clubs, lodges, union halls, yacht clubs	3 <sup>T</sup>					-	-		1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	1, 3	1, 3	1, 3		

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1	6.000	RECREATION, AMUSEMENT, ENTERTAINMENT																
2	6.100	Indoor activity conducted entirely within building or substantial structure																
3																		
4	6.110	Bowling alleys, billiard, pool halls						-	-		1, 3	1, 3	1, 3	1, 3		3	1,3	1,3
5																		
6	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges			3	3	3	3	3		1, 3	1, 3	1, 3	1, 3		3	1,3	1,3
7																		
8	6.130	Theaters seating for 200 or fewer	3 <sup>T</sup>					-	3	3	1	1	1	1	3 <sup>N</sup>	3	1,3	1
9																		
10	6.135	Theaters seating from 201 to 1,000						-	-		3	1	1	1	3 <sup>N</sup>	3	1,3	1
11																		
12	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3	3 <sup>N</sup>			
13																		
14	6.150	Indoor shooting range	1, 3									3				3		
15																		
16	6.200	Outdoor activity conducted outside enclosed buildings or structures																
17																		
18	6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed	3	3	3	3	3	3	3	3	3	3	1, 3		3 <sup>N</sup>	3	1,3	
19																		
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		pursuant to a permit authorizing the construction of a school																	
	6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 <sup>N</sup>	3	1,3		
	6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3									3				3			
	6.250	<i>Reserved</i>																	
	6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																	
	6.264	Capacity for up to 20 people <sup>w</sup>	1 <sup>T</sup>	1	1	1	1	1	1	1	1	1	1	1	3 <sup>N</sup>		1	1	
	6.266	Capacity for more than 20 people <sup>w</sup>	3 <sup>T</sup>	3	3	3	3	3	3	3	3	3	3	3 <sup>N</sup>	3 <sup>N</sup>		3	3	
	6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3 <sup>N</sup>	3 <sup>N</sup>	3			
	6.280	Shooting ranges	3													3			
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																		

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1	7.100	Hospital								3	3	3	3					
2	7.150	Health care clinics, other medical treatment facilities providing out-patient care						3	3	1, 3	1, 3	1, 3	1, 3			1,3	1,3	
3																		
4	7.200	Assisted living		3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3		1,3	1,3	
5	7.300	Day care centers					3	3	3	1, 3	1, 3	1, 3	1, 3			1,3	1,3	
6	7.310	Child care centers	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			1,3	1,3	
7																		
8	7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3				
9	7.600	Sobering centers								3	3	3	3					
10	8.000	RESTAURANTS, BARS, NIGHTCLUBS																
11																		
12	8.050	Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service	3 <sup>T</sup>					3	3	3	1	1	1	1	1 <sup>N</sup>	3	1	1
13																		
14	8.100	Restaurants, bars without drive through service	3 <sup>T</sup>								1, 3	1	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	3	1,3	1,3
15																		
16	8.200	Restaurants, coffee stands with drive through service									1, 3	1	3	1 <sup>N</sup> , 3 <sup>N</sup>	3			
17																		
18	8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>		1,3	1,3
19	9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																
20																		



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1	10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 <sup>U</sup> , 1 <sup>U</sup> , 3	1 <sup>N</sup> , 1 <sup>N</sup>	1				
2	10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3		1 <sup>N</sup> , 1 <sup>N</sup>	1				
3	10.230	Snow storage basin																	
4	10.232	Neighborhood, less than ½ acre	3	3	3 <sup>Z</sup>	3 <sup>Z</sup>	3 <sup>Z</sup>	3 <sup>Z</sup>	3 <sup>Z</sup>	3 <sup>Z</sup>	3 <sup>Z</sup>	1		3 <sup>Z</sup>	1	1	3 <sup>Z</sup> 3 <sup>Z</sup>		
5	10.235	Regional, ½ to 1 acre	3	3	3 <sup>Z</sup>						3 <sup>Z</sup>	3		3 <sup>Z</sup>	1	1			
6	10.237	Area wide, over 1 acre	3	3 <sup>Z</sup>	3 <sup>Z</sup>							3 <sup>Z</sup>			3	3			
7	10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3		1 <sup>N</sup> , 1 <sup>N</sup>	1				
8	10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	1 <sup>N</sup>	1	3	3
9	10.500	Moorage																	
10	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3		
11	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		

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1	10.600	Floating structures supporting seasonal, commercial recreation	3	3	3										3	3				
2	11.000	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT																		
3	11.100	Recycling operations																		
4																				
5	11.110	Enclosed collection structures <sup>0</sup> of less than 80 square feet total and less than six feet in height	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1 <sup>P</sup>	1	1	1 <sup>P</sup>	1 <sup>P</sup>	1	1	1	1 <sup>P</sup>	1 <sup>P</sup>	
6	11.120	Enclosed structures for recyclable materials collection	1 <sup>P</sup> ,	1 <sup>P</sup> ,	1 <sup>P</sup> ,	1 <sup>P</sup> ,	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	1 <sup>P</sup> , 3	3	3	1	1	1 <sup>P</sup>	3 <sup>P</sup>	3 <sup>P</sup>
7	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure															1 <sup>N</sup>	1		
8	11.200	Reclamation landfill not associated with a specific use	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>	3 <sup>N</sup>	1, 3			
9	11.300	Sanitary landfill	3														3			
10	12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS																		
11	12.100	Veterinary clinic	3	3	3						3	1, 3	3	3	1 <sup>N</sup> ,	1 <sup>N</sup> ,	1	3	3	
12	12.200	Kennel	3	3							3	3					1, 3			

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1	12.250	Day animal services, grooming, walking, day care	3	3	3	3	3				3	3	3	3			1, 3	3	3	
2	12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	3	3							3	3		3	3 <sup>N</sup>		3			
3	12.310	Wild animal rehabilitation facilities without a visitor component	3	3	3	3					3	3			3 <sup>N</sup>		3			
4	12.400	Horseback riding stables, dog team yards	3	3							3	3					3			
5	13.000	EMERGENCY SERVICES																		
6	13.100	Fire, police, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3	3 <sup>N</sup>	3 <sup>N</sup>	1, 3	3	3
7	14.000	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																		
8	14.100	Aquaculture	3	3	3						3	3	3	3	1	1	3	1,3	1,3	
9	14.150	Weirs, channels, and other fisheries enhancement	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1			
10	14.200	Commercial agricultural operations																		
11	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3					1, 3	3	3	
12	14.220	Including farm animals <sup>M</sup>	1, 3	3													1, 3			
13	14.230	Stabling of farm animals <sup>M</sup>	3	3	3	3					3	3					1, 3			

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1	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3		
2																			
3	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 <sup>AB</sup>							3	3					3		
4																			
5	14.250	Personal use agriculture																	
6	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1		
7																			
8	14.300	Silviculture and timber harvesting <sup>J</sup>	3	3													3		
9	14.400	Mining operations	2, 3	3	3										3 <sup>N</sup>	3 <sup>N</sup>	2		
10	14.500	Sand and gravel operations <sup>I</sup>	3	3	3						3	3			3 <sup>N</sup>	3 <sup>N</sup>	3		
11	14.800	Spring water bottling	3	3			3	3	3	3	3	3					1, 3	3	
12																			
13	15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																	
14	15.100	Post office	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 <sup>N</sup>	3 <sup>N</sup>	1, 3	1,3	1, 3
15	15.200	Airport	3														1, 3		
16	15.400	Military reserve, National Guard centers	3	3	3						3	3			3 <sup>N</sup>	3 <sup>N</sup>	3		
17	15.500	Heliports, helipads	3									3			3 <sup>N</sup>	3 <sup>N</sup>	3		
18																			
19																			
20																			
21																			
22																			



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1	15.600	Transit facilities																	
2		15.610 Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3	1,3	1, 3
3		15.620 Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
4		15.630 Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1	3	
5		15.700 Public works facility	3	3	3	3					3	3					1, 3		
6	16.000	DRY CLEANER, LAUNDROMAT																	
7		16.100 Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 1 <sup>N</sup>	1, 3	1,3	1,3
8		16.200 Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 <sup>N</sup>	1 <sup>N</sup> , 1, 3	1,3	1,3
9	17.000	UTILITY FACILITIES																	
10		17.100 Minor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
11		17.150 Intermediate	3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1	3	3
12		17.200 Major	3	3	3	3	3	3	3	3	3	3			3	3	3	3	3
13		17.300 Driveways and private roads																	
14	18.000	TOWERS AND RELATED STRUCTURES																	

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1	18.100 <sup>AA</sup>	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
2	18.200 <sup>AA</sup>	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	3	1	1	1	1	1	1	3	3	
3	18.300 <sup>AA</sup>	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1			
4																				
5	18.400	Amateur (ham) radio towers and antennas more than 35 feet in height <sup>R</sup>	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
6																				
7	18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities																	
8	19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES																		
9																				
10	19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3								1, 3	1	1, 3	1, 3	1 <sup>N</sup> , 1 <sup>N</sup>	1, 3	1, 3	1, 3	
11	19.200	Nurseries, commercial greenhouses																1,3		
12	19.210	Retail sales	3	3	3	3	3	3	3	3	3	1, 3	1	1 <sup>V</sup>	1 <sup>V</sup>			1	1,3	1,3
13	19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 <sup>V</sup>	1 <sup>V</sup>			1		
14																				
15	19.230	Marijuana cultivation (500 square feet or more under cultivation)	3									3	3					3		
16																				
17	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 <sup>AB</sup>								3	3					3		
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1	20.000	CEMETERY, CREMATORIUM, MORTUARY																
2	20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3							
3	20.200	Crematorium	3														1, 3	
4	20.300	Funeral home	3	3	3	3	3				1, 3	1	3	3				1,3 1,3
5	21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES																
6	21.100	Resort, lodge	3	3														
7	21.200	Campgrounds	1, 3	3														
8	21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 <sup>N</sup>			3 3
9	21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 <sup>N</sup>			3 3
10	21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 <sup>N</sup>			3 3
11	22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																
12	22.100	Temporary structures used in connecting construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1 1
13	22.100	Temporary structures used in connecting construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1 1
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**ARTICLE IV. DIMENSIONAL STANDARDS**

**49.25.400 TABLE OF DIMENSIONAL STANDARDS**

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size <sup>1</sup>																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600 <sub>10</sub>	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow <sup>9</sup>		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600 <sub>10</sub>	5,000	3,500	2,500		2,500							
Single-family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'

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	Bungalow <sup>9</sup>		75'	50'	35'	25'	25'	25'	25'									
	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' <sup>10</sup>	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' <sup>4</sup>	35'	35'	45'	55'	35' <sup>4</sup>	45' <sup>4</sup>	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' <sup>4</sup>	45' <sup>4</sup>	None
	Bungalow <sup>9</sup>		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback <sup>3</sup>	25'	25'	25'	20'	20' <sup>10</sup>	20'	20'	20'	0'	5' <sup>5,8</sup>	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
	Maximum street side yard setback											15'	10'					

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1	Minimum rear yard setback <sup>3</sup>	25' <sup>2</sup>	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' <sup>11</sup>	10'	10'	10'	10'	10'
2	Minimum side yard setback <sup>3</sup>	15' <sup>2</sup>	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' <sup>11</sup>	10'	10'	10'	10'	0'
3																		
4	Common wall dwelling				10' <sup>6</sup>	3'	5' <sup>7</sup>	5' <sup>7</sup>	5' <sup>7</sup>		5' <sup>7</sup>							
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2 Notes:

3 1. Minimum lot size is existing lot or area shown on chart in square feet.

4 2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between  
5 industrial, extractive and other uses.

6 3. Where one district abuts another the greater of the two setbacks is required for both uses on  
7 the common property line.

8 4. (Height Bonus) Reserved.

9 5. (Pedestrian Amenities Bonus) Reserved.

10 6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or  
11 five-foot wide easement for the portion of the dwelling at the common lot line without a  
12 common wall, and ten-foot setback for the remaining side yards of the lot.

13 7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or  
14 five-foot wide easement for the portion of the dwelling at the common lot line without a  
15 common wall, and five-foot setback for the remaining side yards of the lot.

16 8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in  
17 which buildings shall be prohibited shall be determined by extending the edge of the traveled  
18 ways to a point of intersection, then measuring back 15 feet, then connecting the points.

19 9. Special restrictions apply to construction on bungalow lots. See special use provisions  
20 [49.65.600](#).

21 10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:

22 (a) Minimal lot area includes 50% of adjacent alley (see graphic).

23 (b) Minimal lot depth includes 50% of the width of adjacent alley.

24 (c) Minimum front yard setback of ten feet.

25 11. Additional setbacks apply when lot abuts a multi-family or single-family residential  
zoning district.

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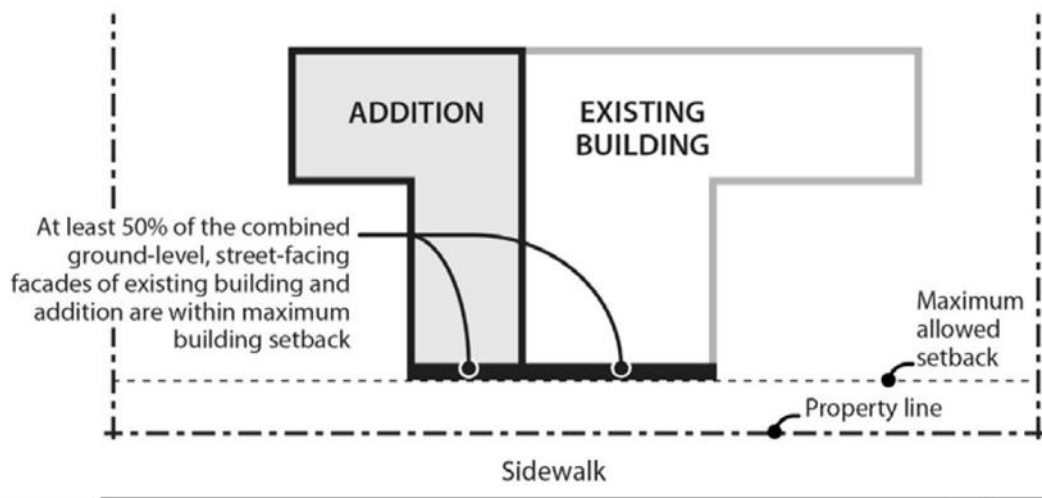
**49.25.430 Yard setbacks.**

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest buildings sharing a frontage and within a 150' radius. An existing building on the subject lot may be used as one of three buildings to calculate the setback determination.

For the purposes of this section, the buildings used in averaging must be conforming enclosed buildings.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

**Alteration to Existing Building in Conformance with Maximum Setback Standard**





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(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5 foot setback and landscaping	Underlying zoning district setback, no landscaping
16 – 30 ft.	8 foot setback and landscaping	
31-55 ft.	10 foot setback and landscaping	

**ARTICLE V. DENSITY**

**49.25.500 Density.**

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

Zoning District	Maximum Dwelling Units/Acre
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.

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D-10	10 units per acre
D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
<b>MU3</b>	<b>30 units per acre</b>
<b>NC</b>	<b>15 units per acre</b>
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

**Section 3. Amendment of chapter.** Chapter 49.50 Parks, Open Space and Vegetative Cover is amended to read:

**CHAPTER 49.50 PARKS, OPEN SPACE AND VEGETATIVE COVER**

**Article III. – Vegetative Cover**

**49.50.300 Minimum vegetative cover.**

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

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Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
<b>MU3, mixed use district</b>	<b>10</b>
<b>NC, neighborhood commercial district</b>	<b>25</b>
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

**Section 4. Amendment of Chapter.**

Chapter 70 is amended by adding a new article XIII to read:

**ARTICLE XIII. AUKE BAY OVERLAY DISTRICT**

**49.70.1300 Purpose.**

The purpose of the Auke Bay Overlay District is to implement the Auke Bay Area Plan Vision through design standards and development bonuses that promote the creation of a

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2 lively, village-like setting. Bonuses may be earned by providing a combination of design  
3 amenities and public benefits recommended by the Auke Bay Area Plan, which was  
4 adopted into the Comprehensive Plan.

5 **49.70.1310 Applicability.**

6 *Auke Bay Overlay District.* This article applies to parcels located within the Auke Bay  
7 Overlay District as shown on the map dated August 30, 2019. Bonus points may be  
8 granted for any multi-family or commercial development within the Auke Bay Overlay  
9 District boundary.

10 **49.70.1320 Relationship to Existing Zoning.**

11 This article applies only to parcels within the Auke Bay Overlay District. This article  
12 provides the option for developers to earn bonus points by providing public benefits and/or  
13 design standards as recommended in the Auke Bay Area Plan. If a developer chooses to  
14 earn bonus points a minimum of 10 percent of bonus points must be earned by providing  
15 design standards. Bonus points may be used to increase density, increase building height,  
16 or reduce minimum parking requirements. All other requirements of the underlying zoning  
17 district apply.

18 **49.70.1330 Auke Bay Overlay District procedure.**

19 (a) *Auke Bay Overlay District Permit.* The board of adjustment shall hear all  
20 applications pursuant to this article.

21 (b) *Pre-application Conference.* Prior to submission of an application, the developer shall  
22 meet with the director for the purpose of discussing the site, the proposed development  
23 activity, and the public benefits, design standards and bonuses being proposed. The  
24 developer must show the nature and extent of such bonuses in the Auke Bay Overlay  
25 District application.

(c) *Application.* 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's intentions, shall advise the developer 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 planning 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 board of adjustment together  
with a report setting forth the director's recommendation for approval or denial, with

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2 or without conditions together with the reasons therefore. The director shall make  
3 the determinations specified in subsection (d) (5) of this section.

4 (4) Copies of the application or the relevant portions thereof shall be transmitted to  
5 interested agencies as specified on a list maintained by the director for that purpose.  
6 Referral agencies shall be invited to respond within 15 days unless an extension is  
7 requested and granted in writing for good cause by the director.

8 (5) Even if the proposed development complies with all the requirements of this title  
9 and all recommended conditions of approval, the director may nonetheless  
10 recommend denial of the application if it is found that the development:

- 11 (A) Will materially endanger the public health or safety;
- 12 (B) Will substantially decrease the value of or be out of harmony with  
13 property in the neighboring area; or
- 14 (C) Will not be in general conformity with the land use plan, Auke Bay Area  
15 Plan, or other officially adopted plans.

16 (e) *Review of director's determinations.*

17 (1) At the hearing on the Auke Bay Overlay District permit, the board of adjustment  
18 shall review the director's report to consider:

- 19 (A) Whether the proposed development is appropriate according to the Auke  
20 Bay Overlay District;
- 21 (B) Whether the application is complete; and
- 22 (C) Whether the development as proposed will comply with the other  
23 requirements of this title.

24 (2) The board of adjustment shall adopt the director's determination on each item  
25 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) *Board of Adjustment determinations.* Even if the board of adjustment 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, Auke Bay Area Plan, or  
other officially adopted plans.

**49.70.1340 Auke Bay Overlay District Standards.**

Structures or sites existing on the date this ordinance was adopted, that contain all or some  
of the public benefits, site features and design standards may earn bonus points. The

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process for earning bonus points for existing structures or sites is the same as with new development.

(a) Public benefits.

(1) *Platting new public rights-of-way.* Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area. The

<b>Feet of public right of ways</b>	<b>Standard</b>	<b>Points Earned</b>
25	All platted public rights-of-way shall be consistent with the public right-of-way width standard for streets other than arterials and connectors, as found in Chapter 49.35.	8
50		16
75		24
100		32

(2) *Providing public parking on private property.* Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.

<b>Parking Spaces Provided</b>	<b>Standard</b>	<b>Points Earned</b>
12 or more	Bonus points may be earned for public parking providing 12 or more spaces.	1 point per space, twelve and above

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(3) *Mixed use structures.* Mixed use structures is intended to encourage mixed-use structures that combine medium- to high-density residential uses with compatible commercial uses on a single site or within the same structure.

Residential/Commercial floor area ratio	Points Earned
1:1	8 points
2:1	12 points (16 points for zoning districts with height restrictions of 35' including maximum height with bonuses )
3:1	16 points (24 points for zoning districts with height restrictions of 45' including maximum height with bonuses)
4:1	24 points

(4) *Building Design Standards.* Building design standards are intended to encourage the inclusion of specific design standards within new development, and additions or exterior improvements to existing structures. The building design standards represent the vision of future development in the Auke Bay Center, as identified in the Auke Bay Area Plan. A minimum of 10 percent of all bonus points earned must be earned from design standards.

<b>Design Standards</b>		<b>Points Earned</b>
Street facing building facades	Windows and building entrances shall comprise at least 20% of the ground floor wall area for all non-residential uses. Street facing façade windows shall be no more than 4 feet above finished grade.	3 points for every 20% transparency
Ground level entrances	Entryways shall be designed to orient customers with attractive architectural features, such as a recessed entryway, pedestrian oriented lighting, and weather protection. Each public entrance shall be clearly defined and highly visible.	3 points for each entryway
Canopies covering or facing public right-of-ways and improved pedestrian walkways	Canopies shall span the entire frontage of the building and shall meet CBJ canopy standards.	4 points for every 20' of canopy

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(5) Site Features. Site features are intended to encourage the installation of features that promote pedestrian safety and create interesting and inviting outdoor spaces.

<b>Site Feature</b>	<b>Standard</b>	<b>Points Earned</b>
Pedestrian walkways	Pedestrian walkways shall provide a direct route from a right-of-way or parking area to the building's main entrance, as determined by the director; be a minimum of 5 feet wide; separated from a parking area or right-of-way with landscaping or a raised surface of at least 6 inches; consist of a walking surface other than dirt or gravel; connect to a pedestrian walkway on an abutting lot when possible	3 points per 30' of walkway
Covered bike rack	Bike rack(s) shall be installed near a building's ground level entrance; have a minimum capacity of four bikes. Bike racks shall be covered and shall be compatible with a U lock, as recommended in the Juneau Non-Motorized Transportation Plan.	1 point per bike rack
Outdoor seating	Outdoor seating shall consist of at least one bench or one table and seat at least four people; be secured to the ground or building; be provided during the summer months, at a minimum	1 point per bench or table
Outdoor Planters or Landscaping	Outdoor planters or Landscaping shall span a minimum of 25 percent of the building right-of-way facing façade(s); contain live, non-invasive plant(s); shall be designed and located in a manner that does not interfere with site distance from public right-of-ways or pedestrian walkways, as determined by the director	1 point for every quarter of the building façade with planters or landscaping



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(6) *Screening*. Screening is intended to preserve and enhance the aesthetic value of the Auke Bay Center by minimizing views of specific parts of properties or structures from streets, pedestrian walkways, or abutting properties when the specific part(s) of property or structure are located within 30 feet of a property line, public rights-of-way, or pedestrian walkway.

<b>Structures to be screened</b>	<b>Standard</b>	<b>Points Earned</b>
Above ground parking lots	Screening shall be four feet tall and shall consist of sight obscuring landscaping or a sight obscuring fence or wall. Parking areas do not need to be screened from pedestrian walkways that intersect the parking area.	3 points per parking lot
Recycle and trash receptacles; above ground oil, gas, water or wood pellet storage containers; Freestanding utility, mechanical and electrical boxes	Screening shall be as tall as the structure or object being screened; shall consist of sight obscuring landscaping, a sight obscuring fence or wall, murals or other forms of public art, or other methods that meet the purpose of this section, as determined by the Planning Commission	1 point each

(7) *Preserving views of Auke Bay and Statter Harbor*. Preservation of the view is intended to protect the aesthetic value of private property by encouraging developers of structures greater than two stories to preserve the view(s) of Auke Bay and Statter Harbor from abutting properties, as determined by the planning commission.

<b>Building Stepback</b>	<b>Points Earned</b>
Every 25% reduction of the footprint of the ground floor.	8 points

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**49.70.1350 Using Bonus Points**

(a) *Density Bonus.* The allowable density of dwelling units per acre may be increased based on bonus points earned. Density increase shall be rounded to the nearest whole number

<b>Bonus Points Needed</b>	<b>NC</b>	<b>MU3</b>	<b>WC</b>
Standard Zoning	15 units per acre	30 units per acre	18 units per acre
8 points	17 units per acre	35 units per acre	21 units per acre
16 points	19 units per acre	38 units per acre	24 units per acre
24 points	21 units per acre	42 units per acre	27 units per acre
32 points	25 units per acre	50 units per acre	30 units per acre

(b) *Height Bonus.* Bonus points for increased height are not allowed in the Waterfront Commercial zoning district.

<b>Bonus Points Needed</b>	<b>NC</b>	<b>MU3</b>
0 points	35' / 25'	35' / 25'
6 points	45' / 35'	45' / 35'
12 points		55' / 45'

(c) *Reduce minimum parking requirements.* The maximum allowed parking reduction in the Auke Bay Overlay District is 30 percent of the total number of parking spaces required for all uses on the site. Dimensional standards for parking and off-street loading in 49.40.210 shall apply.

<b>Bonus Points Needed</b>	<b>Parking Reduction</b>
0 points	Parking as required in 49.40
6 points	10% reduction
10 points	15% reduction
15 points	20% reduction
22 points	25% reduction
30 points	30% reduction

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk