

Presented by: The Manager
Presented: 08/02/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-28

An Ordinance Amending Title 49, the Land Use Code, Related to Minimum Lot Depth.

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

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

Section 2. Amendment of Section. CBJC 49.15.422 Public use lots, is amended to read:

49.15.422 Public use lots.

The director for minor subdivisions, or the commission for major subdivisions, may waive the dimensional standards of the public use lot for minimum lot size and, lot width, ~~and lot depth~~ as set forth in CBJ 49.25.400, for lot frontage and access requirements as set forth in CBJ 49.15.420, and the provision of public improvements as set forth in CBJ 49.35, if the proposed use of the lot is for open space, natural area park, public or private utilities, conservation lot, or similar use, and if the following requirements are met:

- (1) The director or the commission finds that there is no public purpose or need that would be served by requiring the parcel to meet these code provisions and that the provisions are not applicable for the proposed public or quasi-public use of the lot;

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- 2 (2) Restriction of building development, further subdivision, and other limitations or
- 3 restrictions shall be noted on the plat in accordance with CBJ 49.15.412;
- 4 (3) For uses restricted from any building development, the land must be put into some form
- 5 of permanent protected status through the use of conservation easements, deed
- 6 restriction, or other instruments to assure building development will not occur where
- 7 prohibited; and
- 8
- 9 (4) Unless otherwise provided, the minimum yard setback requirements may not be waived
- 10 with respect to lots abutting the public use lot.
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12 **Section 3. Amendment of Section.** CBJC 49.15.423 Panhandle lots, is amended to

13 read:

14 **49.15.423 Panhandle lots.**

15 (a) Panhandle lots may be created by subdivision under this section if the new lots meet the

16 following requirements:

17 (1) *Dimensional requirements.*

18 (A) The front and panhandle lots must meet all the dimensional and area requirements

19 of this title.

20 (B) No part of the panhandle portion of the lot shall be less than 20 feet wide.

21 (C) The panhandle portion of the lot shall not be longer than 300 feet in D-1 zones and

22 ~~one and one half times the minimum lot depth in other residential zoning districts.~~

23 (D) No buildings are allowed to be built or placed in the panhandle portion of the lot.

24 (E) In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be

25 used in determining the width of the front lot.

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2 (F) The lot width for the panhandle lot shall be the distance between its side lot lines
3 measured behind the back lot line of the front lot.
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6 **Section 4. Amendment of Section.** CBJC 49.25.400 Minimum dimensional
7 standards, is amended to read:
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9 **49.25.400 Minimum dimensional standards.**

10 There is adopted the table of minimum dimensional standards, table 49.25.400. Minimum
11 dimensional standards for all zoning districts shall be according to the table of minimum
12 dimensional standards, subject to the limitations of the following sections and as otherwise
13 specifically noted in the special area or use sections, chapters 49.65 and 49.70.

14 TABLE 49.25.400

15 TABLE OF DIMENSIONAL STANDARDS

16 [See Exhibit A for the Table of Dimensional Standards]

17 **Notes:**

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

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

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

24 (c) Minimum front yard setback of ten feet.
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2 **Section 5. Amendment of Section.** CBJC 49.25.410 Lot dimensions, is amended to
3 read:

4 **49.25.410 Reserved Lot dimensions.**

5 As used in the table of dimensional standards:

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7 ~~(a) *Lot width* means the horizontal distance between the side lines of a lot measured at~~
8 ~~right angles to its depth along a straight line parallel to the front lot line at the~~
9 ~~minimum required building setback line.~~
10 ~~(b) *Lot depth* means the distance measured from the front lot line to the rear lot line.~~
11 ~~(c) *Lot coverage* means the percentage of lot area that is occupied by all buildings on the lot,~~
12 ~~each measured at the outside of those exterior walls of the floor having the greatest~~
13 ~~horizontal dimensions.~~
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16 **Section 6. Amendment of Section.** CBJC 49.25.430 Yard setbacks, is amended to
17 read:

18 **49.25.430 Yard setbacks.**

19 No portion of any of the items listed in subsection (1) of this section may be located on any
20 lot closer to any lot line or to the street right-of-way line or centerline than is authorized in the
21 table of dimensional standards in table 49.25.400, except as otherwise noted in this section. An
22 alley or walkway is not subject to front setbacks unless it is the primary access to the lot.
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- 25 (4) *Projections into required yards.*

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(J) *Substandard lots.* If the lot width is, ~~lot depth, or both~~ are less than required, the corresponding side, street side, or rear setbacks may be reduced to the same percentage that the lot width, ~~depth, or both~~, bears to the zoning district requirements, except that in no case shall the side, street side, and rear yard setbacks be less than half those required by this chapter, or five feet, whichever is greater.

(K) *Existing substandard setbacks.* A new building may have a front yard setback equal to the average front yard setback of the three closest adjacent buildings, or a street side yard setback equal to the average street side yard setback of the three closest adjacent buildings, or a rear yard setback equal to the average rear yard setback of the three closest adjacent buildings. The average calculation shall be made using one building per lot. If any of the three buildings used in the averaging calculation is located a greater distance from the required setback, then the required front yard setback, or street side yard setback, or rear yard setback shall be used to calculate the average. An existing building located on the subject lot may be used as one of the three buildings to calculate the setback determination.

For purposes of this section, the buildings used in averaging must be either conforming or legally nonconforming enclosed buildings or carports and have a wall or column height of at least seven feet measured from the finished grade. Porches, bay windows, and temporary buildings allowed to project into setbacks cannot be

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2 used for averaging. In no instance shall the required setback be less than half that
3 required by this chapter or ten feet, whichever is greater.
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5 If there are fewer than three buildings within 500 feet of the subject property, then
6 the required setback shall be the average of front yard setbacks, or street side yard
7 setbacks, or rear yard setbacks, of such fewer buildings, using a maximum of one
8 building per lot.
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12 **Section 7. Amendment of Section.** CBJC 49.65.320 Mobile home subdivision, is
13 amended to read:

14 **49.65.320 Mobile home subdivision.**

15 (a) *Purpose.* Mobile home subdivisions meeting the requirements of this article and the zoning
16 code may be approved. It is the intent of the City and Borough to provide for subdivisions in
17 which lots may be created which are more in scale with the requirements for mobile homes.
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19 (b) *Applicability and scope.* The following section applies to the development of a mobile home
20 subdivision which is a use allowed in the D-5, and D-10 SF residential districts, D-10, D-15 and
21 D-18, multifamily residential districts.

22 (c) *Density.* A mobile home subdivision must comply with the density requirement of the
23 district in which it is located, irrespective of the minimum lot size.
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2 (d) *Permit procedure.* A mobile home subdivision shall be approved under the conditional use
3 permit procedure if it meets all requirements applicable to a major subdivision, as modified by
4 this section.

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6 (e) *Special standards.*

7 (1) *Tract size.* The minimum tract size which may be submitted for subdivision under this
8 section shall be five acres.

9 (2) *Dimensional standards.* Dimensional standards are:

10 (A) Minimum lot size, 4,700 square feet;

11 (B) Minimum width of lot at front building line, 47 feet;

12 (C) ~~Reserved~~ ~~Minimum lot depth, 100 feet;~~

13 (D) Maximum lot coverage, 50 percent;

14 (E) Maximum building height, 35 feet;

15 (F) Minimum front yard setback, 15 feet;

16 (G) Minimum rear yard setback, 15 feet;

17 (H) Minimum side yard setback, 7½ feet.

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Section 8. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk