ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2009-15

An Ordinance Adopting the Non-Motorized Transportation Plan.

WHEREAS, the Juneau Non-Motorized Transportation Plan was adopted by Resolution Serial No. 1886 on September 15, 1997; and

WHEREAS, in the twelve years since adoption of the plan, many changes have occurred in the City and Borough; and

WHEREAS, in recognition of these changes the Parks and Recreation Department hired a consultant to update the plan; and

WHEREAS, the analysis conducted by the consultant included public meetings throughout the City and Borough, close cooperation with CBJ staff, and involvement with stakeholder groups; and

WHEREAS, after consideration of currently accepted best practices for non-motorized transportation planning in North America, the draft plan was reviewed by City and Borough agencies, the public, and stakeholders; and
WHEREAS, the draft plan has been approved by the Parks and Recreation Advisory Committee, the Planning Commission, and the Affordable Housing Commission, each of which recommended that the Assembly adopt the Juneau Non-Motorized Transportation Plan; and

WHEREAS, the Assembly Public Works and Facilities Committee reviewed the Juneau Non-Motorized Transportation Plan and decided that the plan be forwarded to the Assembly without recommendation; and

WHEREAS, Policy 8.2 of the Comprehensive Plan provides that “It is the Policy of the CBJ to promote and facilitate transportation alternatives to private vehicles as a means of reducing traffic congestion, air pollution and the consumption of fossil fuels, and to provide safe and healthy means of transportation to all people.”

NOW, THEREFORE, 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 Code.

Section 2. Title 49, Chapter 5, Article II Comprehensive Plan, is amended as follows:

ARTICLE II
COMPREHENSIVE PLAN

-2-   Ord. 2009-15
49.05.200 Comprehensive plan.

(a) The City and Borough comprehensive plan is designed to lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks and other public requirements.

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.

(1) Plan adopted. There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled "The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2008 Update," including the following additions:

(A) The Juneau Coastal Management Plan, dated 1986, as amended through December 1990;

(B) The Downtown Historic District Development Plan, dated December 1981; provided that the proposed district boundaries shall be those established by the assembly under a separate ordinance;
(C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended;

(D) The Last Chance Basin Land Management Plan, dated May 1978, updated November 1994;

(E) Watershed Control Program - Salmon Creek Source, dated April 1992;

(F) Watershed Control and Wellhead Protection Program - Gold Creek Source, dated November 1994; and

(G) Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997; and


(2) Changes, corrections, and interpretations. Reserved.

(c) No rights created. The goals and policies set forth in the comprehensive plan are aspirational in nature, and are not intended to commit the City and Borough to a particular action, schedule, or methodology. Neither the comprehensive plan nor the technical appendix adopted under this section nor the amendment of either creates any right in any person to a zone change nor to any permit or other authority to make a particular use of land; neither do they constitute a regulation of land nor a reservation or dedication of privately owned land for public purpose.
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

   Adopted this day of 2009.

______________________________
Bruce Botelho, Mayor

Attest:

______________________________
Laurie J. Sica, Clerk