



**Law Department  
City & Borough of Juneau**

**MEMORANDUM**

TO: CBJ Assembly  
FROM: Amy Gurton Mead, Municipal Attorney  
DATE: May 28, 2015  
SUBJECT: Rezone Process

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At the meeting on June 11, 2015, you will have before you three draft, incomplete ordinances, one for each of the three rezone protests. At the hearing, you must decide whether or not to amend the ordinances for introduction. In order to move any of the ordinances forward, you must make a specific finding that the proposed new zoning designation meets the criteria required by CBJ 49.75.120.

CBJ 49.75.120 provides:

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.

It is my understanding that at the start of the meeting, CDD will be providing you with a general explanation of the analysis CDD uses in analyzing rezone requests.

As to each of the draft ordinances, at the close of public testimony and Assembly discussion, you would make one of the following decisions:

1. Decline to move the ordinance forward; or
2. Move the ordinance forward for introduction, directing staff to amend the ordinance to incorporate your findings that the proposed rezone complies with CBJ 49.75.120 (specifically “that the proposed zoning district and uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.”)