

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Presented by: The Manager  
Introduced:  
Drafted by: J.W. Hartle

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

**Serial No. 2010-01(b)**

**An Ordinance Amending the Official Zoning Map of the City and Borough Land Use Code to Change the Zoning of U.S. Survey 752, Lot 2A, on Glacier Avenue, from D-18 to Light Commercial.**

WHEREAS, the Comprehensive Plan of the City and Borough of Juneau supports mixed use development along transit corridors; and

WHEREAS, the Comprehensive Plan identifies U.S. Survey 752, Lot 2A, on Glacier Avenue, as suitable for General Commercial (GC); and

WHEREAS, Light Commercial (LC) zoning provides for retail, office, and residential uses; and

WHEREAS, the Comprehensive Plan identifies the Evergreen Cemetery parcel as suitable for Institutional and Public Use (IPU); and

WHEREAS, IPU is described in the Comprehensive Plan as a designation for lands that are in public ownership and dedicated to a variety of public uses; and

//  
//  
//

1           WHEREAS, the City and Borough of Juneau has received public comments from the  
2 Alaska Native Brotherhood Camp 2 and St. Nicholas Orthodox Church that rezoning  
3 the Evergreen Cemetery property to Light Commercial would be inappropriate; and  
4

5           WHEREAS, rezoning the Cemetery property to Light Commercial conveys to the  
6 public that the Cemetery property's best use would be to develop it for commercial  
7 purposes, which would be inconsistent with the current and historic use of the  
8 Cemetery property.  
9

10           NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF  
11 JUNEAU, ALASKA:  
12

13           **Section 1. Classification.** This ordinance is of a general and permanent nature  
14 and shall become a part of the City and Borough Code.  
15

16           **Section 2. Amendment to the Official Zoning Map.** Notwithstanding the  
17 restriction in CBJ 49.75.120 regarding minimum area for rezoning requests, the Official  
18 Zoning Map of the City and Borough adopted pursuant to CBJ 49.25.110 is amended  
19 to change the zoning of U.S. Survey 752, Lot 2A, on Glacier Avenue, currently zoned D-  
20 18 to LC, with the following condition: Any future retail use within the area of this  
21 zone change must meet all Code requirements and will not be eligible to apply any type  
22 of variance.  
23

24           The described zoning map amendment is shown on the attached "Exhibit A"  
25 illustrating the area of the zone change.  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this      day of              2010.

\_\_\_\_\_  
Bruce Botelho, Mayor

Attest:

\_\_\_\_\_  
Laurie J. Sica, Clerk