

*Postponed indefinitely  
9/13/05*

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: July 26, 2005

Anchorage, Alaska  
AO 2005- 97

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4 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.50.160  
5 TO AMEND A SUBSECTION AND ADD A NEW SUBSECTION EXEMPTING  
6 CATERING AND SPECIAL EVENTS PERMITS INVOLVING THE RETAIL SALE AND  
7 DISPENSING OF ALCOHOLIC BEVERAGES FROM THE CONDITIONAL USE  
8 PROCESS.  
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10  
11 **Section 1.** Anchorage Municipal Code section 21.50.160 is hereby amended to add the  
12 following new subsection: *(the remainder of the chapter is not affected and therefore is not*  
13 *set out)*  
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15 **21.50.160**      **Conditional use standards – Uses involving sale of alcoholic beverages.**

16            \*\*\*        \*\*\*        \*\*\*

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18  
19 A. Any use, whether principal or accessory, involving the retail sale or dispensing of  
20 alcoholic beverages is permitted only by conditional use. The conditional use  
21 requirement applies only to the retail sale or dispensing of alcoholic beverages and not  
22 to related principal or accessory uses except as provided in subsection G of this section.  
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24            \*\*\*        \*\*\*        \*\*\*

25  
26 G. Catering and special events permits, as issued by the State Alcoholic Beverages  
27 Control Board and held no more than 12 times in a calendar year at the same physical  
28 location are exempt from the conditional use requirements, but must meet Title 10  
29 requirements of the Anchorage Municipal Code.  
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31            \*\*\*        \*\*\*        \*\*\*

32  
33 (GAAB 21.05.060; AO No. 77-355; AO No. 82-170; AO No. 85-21; AO No. 87-62; AO No.  
34 93-143(S-3), § 1, 5-10-94)

35  
36 Cross references: Assembly protests of alcoholic beverage establishment licenses, § 2.30.125;  
37 alcoholic beverages, Ch. 10.50; consumption of alcoholic beverages in public places, §  
38 25.10.090.  
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**Section 2.** This ordinance shall be effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
of \_\_\_\_\_ 2005.

ATTEST:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2005- 97

Title: Planning and Zoning Commission, Case 2005-053;  
 recommendation of approval for an ordinance amending the  
 code to allow for catering events for no more than twelve time  
 a year in any one location.

Sponsor:  
 Preparing Agency: Planning Department  
 Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>			
	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	
<b>Operating Expenditures</b>					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this rezone should have no significant impact on the public sector.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of the rezoning should have no significant economic impact on the private sector.

Prepared by:	<u>Jerry T. Weaver Jr., Zoning Administrator</u>	Telephone: <u>343-7939</u>
Validated by OMB:	_____	Date: _____
Approved by:	_____ (Director, Preparing Agency)	Date: _____
Concurred by:	_____ (Director, Impacted Agency)	Date: _____
Approved by:	_____ (Municipal Manager)	Date: _____



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

No. AM 512 -2005

Meeting Date: July 26, 2005

From: Mayor

Subject: PLANNING AND ZONING COMMISSION RECOMMENDATION  
ON AN ORDINANCE AMENDMENT TO EXEMPT CATERING  
FUNCTION FROM THE REQUIREMENTS OF A CONDITIONAL  
USE.

1 Presently, all retail alcoholic beverage sales are subject to the conditional use  
2 requirements of AMC 21.50.160. However, there have been many temporary special  
3 events over the years which have had temporary alcoholic beverage sales and  
4 dispensing permitted by the ABC Board, so long as they are associated with a facility  
5 and organization with a non-temporary license. Examples are the annual Beer and  
6 Barley Wine Festival, First Friday art walks, and special concerts at locations in  
7 town other than the concert venues which have non-temporary licenses.

8  
9 This amendment will allow temporary catering operations to operate without a  
10 conditional use, but will still subject them to the review and requirements of the  
11 special events permits issued by the Municipal Clerk's Office. This permit requires  
12 reviews by departments such as Planning, Police and Traffic in order to ensure any  
13 potential conflicts are mitigated. All ABC Board requirements will continue to exist.  
14 The amendment will allow events to occur no more than 12 times per year at any  
15 given location.

16  
17 THE ADMINISTRATION CONCURS WITH THE PLANNING AND ZONING  
18 COMMISSION RECOMMENDATION FOR THE ORDINANCE AMENDMENT.

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21  
22 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

23 Concur: Tom Nelson, Director, Planning Department

24 Concur: Mary Jane Michael, Executive Director, Office of Economic and  
25 Community Development

26 Concur: Denis C. LeBlanc, Municipal Manager

27 Respectfully submitted, Mark Begich, Mayor

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-025**

A RESOLUTION RECOMMENDING APPROVAL TO THE ASSEMBLY OF AN ORDINANCE AMENDMENT TO ANCHORAGE MUNICIPAL CODE SECTION 21.50.160 CONDITIONAL USE STANDARDS INVOLVING SALE OF ALCOHOLIC BEVERAGES TO ADD A NEW SUBSECTION EXEMPTING CATERING AND SPECIAL EVENTS PERMITS INVOLVING SALE OR DISPENSING OF ALCOHOLIC BEVERAGES FROM THE CONDITIONAL USE REVIEW WHEN THE OCCASIONAL USE DOES NOT EXCEED TWELVE TIMES PER YEAR AT THE SAME LOCATION.

(Case 2005-053)

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WHEREAS, catering and special events with sales or dispensing of alcoholic beverages have a permit review by the Municipality of Anchorage Clerk's Office, Finance Division, Anchorage Police Department (APD), and the State Alcoholic Beverage Control Board (ABC), and

WHEREAS, it is unnecessary to require these occasional uses to have a Conditional Use permit when the events are held fewer than twelve times per year at the same location, and

WHEREAS, additional standards of review in Title 10 are proposed for the Municipal Clerk's Office to use in reviewing catering and special event alcohol permits, and

WHEREAS, the Planning and Zoning Commission wishes to allow for alcoholic beverage sales and service at special events such as Fur Rondy, Bear Paw, Forest Fair, Farmer's Market, etc.,

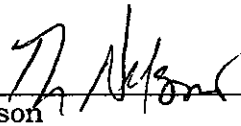
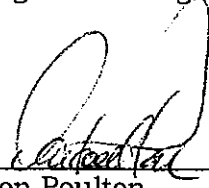
WHEREAS, a public hearing was held on May 2, 2005 and the Planning and Zoning Commission unanimously recommended approval.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. Catering and special event and other occasional alcoholic beverage sales and service does not require a Title 21 Conditional Use review.
  2. Adequate controls and public protection will be provided through Title 10, Clerk's Office, Treasury Division, APD and ABC review of catering and special events permits.
  3. The Planning and Zoning Commission recommends, by a vote of 7 – aye, 0 – nay, approval to the Assembly of an Ordinance Amending AMC

21.50.160 Conditional use standards involving sale of alcoholic  
beverages.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission  
this 2nd day of May 2005.

  
\_\_\_\_\_  
Tom Nelson  
Secretary  
\_\_\_\_\_  
Don Poulton  
Chair

(Case 2005-053)

ab

is insufficient vegetation once the site is cleared, there would be a requirement to install additional vegetation to meet code. MR. HENDERSON stated the revised site plan indicates the intent to minimize disturbance of the ground behind the building to a distance of 10 feet. The front area that already has existing trees and shrubs will remain intact.

CHAIR POULTON asked if the requested condition changes were acceptable to Staff. MR. BARRETT emphasized that the statement in the code is for preservation of existing vegetation, not for removal and replacement. CHAIR POULTON asked that Staff prepare a condition to this effect. MR. BARRETT indicated that condition 5 could simply be the language contained in 21.40.117.M "preservation of existing vegetation."

The public hearing was closed.

COMMISSIONER SIMONIAN moved for approval of the conditional use subject to Staff conditions 1 through 10, amending condition 3 to delete "4/20/05" and insert "4/26/05" and amend condition 4 to delete "concrete or similar paving and radiant heat" and insert "gravel." COMMISSIONER G. JONES seconded.

CHAIR POULTON asked whether Commissioner Simonian had intended to amend condition 5. COMMISSIONER SIMONIAN replied that, if this requirement is in the code, she believed it was clear.

COMMISSIONER SIMONIAN supported her motion, finding that the ~~development is appropriate, it is supported by the Girdwood Board of Supervisors, and the petitioner has worked with the Planning Department to create a plan that will work for Girdwood.~~

COMMISSIONER LOTTSFELDT noted that condition 4 would now require the use of gravel, so if the decision were made to use radiant heat it would be prohibited. He suggested deleting the last sentence of condition 4 entirely. *This was accepted as a friendly amendment.*

COMMISSIONER T. JONES thought it was safe to do as recommended by Commissioner Lottsfeldt in that the site plan controls the development and the site plan does identify a gravel pad.

AYE: Isham, Pease, T. Jones, Poulton, G. Jones, Simonian, Lottsfeldt, Wielechowski

NAY: None

PASSED

2. 2005-053

Municipality of Anchorage. An ordinance amending Anchorage Municipal Code Section 21.50.160 to add a new subsection

exempting catering and special events permits involving the retail sale and dispensing of alcoholic beverages.

Staff member AL BARRETT indicated this proposal addresses special occasions and the alcohol conditional use requirement from the Municipality of Anchorage (Municipality of Anchorage). Currently, applicants that want a once-a-month or otherwise infrequent license go to Alcohol Beverage Control (ABC) for a catering permit, obtain Anchorage Police Department (APD) review, as well as by Finance for taxes. Under the current rules, the request goes through the Planning Department for a conditional use permit. This proposal is to delete the conditional use review when the occasional use is not more than 12 times in a year at the same location, subject to the standards in Title 10 and a review by the Clerk's Office, the APD and ABC. When this proposal was originally made it followed thereafter that there were no conditions in Title 10 governing a permit for the occasional use catering license. The memorandum dated 5/2/05 contains proposed language for Title 10.50 that indicates paragraph B should be deleted and that the new paragraph B is the current paragraph C.

At the request of COMMISSIONER T. JONES, MR. BARRETT reviewed the changes outlined in the new memorandum. He indicated that the changes to Title 10.50.005 Caterers—License was also shown in the 5/2/05 memorandum. COMMISSIONER T. JONES asked whether, when this matter is forwarded to the Assembly, the changes to Title 21 and to Title 10 would be presented together. MR. BARRETT replied in the affirmative.

COMMISSIONER SIMONIAN asked if the previously published Staff packet was obsolete. COMMISSIONER G. JONES indicated his understanding was that there are two issues; the first is amendment to the conditional use standards in Title 21 and the other is amendment to Title 10. MR. BARRETT explained that the Caterers--License is now an entirely new section Title 10.50.005. COMMISSIONER T. JONES reiterated that the Commission has no jurisdiction over Title 10. She understood that the language in Title 10 is informational only. MR. BARRETT responded that this was correct; the proposal is to eliminate the reference in Title 21. Mr. Weaver felt it was necessary to provide the language in Title 10 for the Commission's information, rather than simply indicating that the language would be removed from Title 21 and authority deferred to Title 10. COMMISSIONER G. JONES believed the ordinance that will go forward is contained in the original Staff packet. The memorandum distributed tonight would add another paragraph to that ordinance with respect to Title 10.50.xxx Caterers—License. That is what would go forward to the Assembly.



The public hearing was opened and closed without public comment.

COMMISSIONER LOTTSFELDT moved for approval of the amendment to AMC 21.50.160 to add a new subsection exempting catering and special events permits involving the retail sale and dispensing of alcoholic beverages. COMMISSIONER G. JONES seconded.

COMMISSIONER LOTTSFELDT felt this amendment makes sense in that the control of alcohol is not the best use of Title 21.

AYE: Isham, Pease, T. Jones, Poulton, G. Jones, Simonian, Lottsfeldt, Wielechowski

NAY: None

PASSED

3.     **2005-052**                   Municipality of Anchorage. An Ordinance amending Anchorage Municipal Code Section 21.55.020 regarding nonconforming lots of record.

Staff member AL BARRETT indicated this began as a housekeeping change to previous changes in 2003-2004 to AMC 21.55.020 regarding how nonconforming lots of record are treated. Before this evening's meeting began, he had a brief discussion with Mr. Spinelli who had ~~been working with Mr. Weaver on this item. Mr. Spinelli indicated~~ the version before the Commission is not the one that he believed he and Mr. Weaver had agreed upon. Furthermore, Mr. Spinelli showed him an email of an earlier version of the ordinance and that is even further removed from the discussions between he and Mr. Weaver.

CHAIR POULTON asked that Mr. Barrett address the matter as it had been presented to the Commission. MR. BARRETT stated the proposal is to address two issues in 21.55.020. The first major change allows multiple family units when that underlying zoning district allows those. Currently the code says that nonconforming lots are allowed only as single family homes. The second change is proposed as a new paragraph D for nonconforming lots of record. This change makes it clear that nonconforming lots, when resubdivided or recombined, will not lose any of their nonconforming rights, even if the subsequent lots resulting from the replat are still nonconforming in terms of lot size. There has always been an assumption that when there is a change to a nonconforming lot, the nonconforming rights are lost.

COMMISSIONER LOTTSFELDT moved to postpone case 2005-052.  
COMMISSIONER SIMONIAN seconded.

**MUNICIPALITY OF ANCHORAGE  
PLANNING DEPARTMENT  
MEMORANDUM**

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**DATE:** May 2, 2005

**TO:** Planning and Zoning Commission

**THRU:** *TN* Tom Nelson, Director, Planning Department

**THRU:** Jerry T. Weaver, Jr., Division Administrator

**FROM:** *AC* Angela C. Chambers, AICP, Senior Planner

**SUBJECT:** 2005-053 An Ordinance Amendment to AMC 21.50.160,  
Amending the Standards for Uses Involving Sale of Alcoholic  
Beverages to Exempt Catering Permits from Conditional Use  
Requirements.

**PROPOSED AMENDMENT REQUEST:**

The Department has prepared an amendment to the Anchorage Municipal Code Section AMC 21.50.160 Conditional use standards – Uses involving sale of alcoholic beverages. This will exempt catering permits from conditional use requirements, and will permit them as issued by the State Alcoholic Beverages Control Board (ABC Board), while requiring them to meet AMC Title 10 requirements. They will continue to only be allowed in zoning districts where beverage sales are permitted under existing code.

**BACKGROUND AND DISCUSSION:**

All retail alcoholic beverage sales are subject to the conditional use requirements of AMC 21.50.160. However, there have been many temporary special events over the years which have had temporary alcoholic beverage sales and dispensing permitted by the ABC Board, so long as they are associated with a facility and organization with a non-temporary license. As these are uses for only a short term or one day event only, they have been receiving only special event permits in some cases, and no permits other than from the ABC Board in others. Examples are the annual Beer and Barley Wine Festival, First Friday art walks, and special concerts at locations in town other than the concert venues which have non-temporary licenses.

Recently, there have been discussions with temporary venue operators regarding the current need for them to obtain a conditional use. This causes

significant problems for the operators, due to the minimum 3 month time frame for a public hearing, as well as the significant expense that can be incurred just for the application for a one-time event.

This amendment will allow such temporary catering operations to operate without a conditional use, but will still subject them to the review and requirements of the special events permits handled by the Municipal Clerk's Office, which requires reviews by departments such as Police and Traffic, in order to ensure any potential conflicts are mitigated, and to ensure the event is not a threat to public safety. All ABC Board requirements will continue to exist.

The amendment will also only allow events to occur no more than 12 times per year at any given location. The concern of the Department was that an event occurring only a few times a year at a given location will not likely cause a significant impact to surrounding uses, provided that parking and other zoning requirements are met, and that they continue to only be allowed in zoning districts where they are currently permitted. A use such as the First Friday art walk, for example has not generated land use complaints. However, if larger concerts were to occur, say weekly, at venues not normally located for that principle purpose, land use conflicts could occur with surrounding uses not having expected that in terms of conflicts with operating hours and traffic, or with impacts that are continual and grow over time with the expanded use. The Department feels that a limitation to no more than 12 times per year at the same location will mitigate these impacts, while allowing established uses such as First Friday art walk to continue.

**RECOMMENDATION:**

The Department recommends approval of the amendment to AMC 21.50.160, establishing a new subsection S, contained in the revised ordinance dated 05-02-2005

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading:

Anchorage, Alaska  
AO 2005-\_\_\_\_

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4 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.50.160  
5 TO AMEND A SUBSECTION AND ADD A NEW SUBSECTION EXEMPTING  
6 CATERING AND SPECIAL EVENTS PERMITS INVOLVING THE RETAIL SALE AND  
7 DISPENSING OF ALCOHOLIC BEVERAGES FROM THE CONDITIONAL USE  
8 PROCESS.  
9

10  
11 **Section 1.** Anchorage Municipal Code section 21.50.160 is hereby amended to add the  
12 following new subsection: *(the remainder of the chapter is not affected and therefore is not*  
13 *set out)*  
14

15 **21.50.160 Conditional use standards – Uses involving sale of alcoholic beverages.**  
16

17 \*\*\* \*\*

18  
19 A. Any use, whether principal or accessory, involving the retail sale or dispensing of  
20 alcoholic beverages is permitted only by conditional use. The conditional use  
21 requirement applies only to the retail sale or dispensing of alcoholic beverages and not  
22 to related principal or accessory uses except as provided in subsection G of this section.  
23

24 \*\*\* \*\*

25  
26 G. Catering and special events permits, as issued by the State Alcoholic Beverages  
27 Control Board, and held no more than 12 times in a calendar year at the same physical  
28 location, are exempt from the conditional use requirements, but must meet Title 10  
29 requirements of the Anchorage Municipal Code.  
30

31 \*\*\* \*\*

32  
33 (GAAB 21.05.060; AO No. 77-355; AO No. 82-170; AO No. 85-21; AO No. 87-62; AO No.  
34 93-143(S-3), § 1, 5-10-94)  
35

36 Cross references: Assembly protests of alcoholic beverage establishment licenses, § 2.30.125;  
37 alcoholic beverages, Ch. 10.50; consumption of alcoholic beverages in public places, §  
38 25.10.090.  
39  
40

1 Section 2. This ordinance shall be effective immediately upon passage and approval by  
2 the Anchorage Assembly.

3  
4 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
5 of \_\_\_\_\_ 2005.

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7  
8 ATTEST: \_\_\_\_\_  
Chair

\_\_\_\_\_  
Municipal Clerk

## Chapter 10.50 ALCOHOLIC BEVERAGES\*

**\*Cross references:** Assembly action on alcoholic beverage license applications, § 2.30.120; standards governing assembly, protests regarding alcoholic beverage licenses within the municipality, § 2.30.125; emergency proclamation, restricting certain activity, § 3.80.070; driving while intoxicated prohibited, penalties, § 9.28.020; drinking alcoholic beverages while driving, § 9.36.200; drug and alcohol testing for chauffeurs, § 11.10.085; revocation of license or permit, § 11.10.110; open containers of alcoholic beverages prohibited in taxicabs or vehicles for hire, § 11.30.090; establishments where minors are prohibited from entering, § 21.45.240; conditional use standards, uses involving sale of alcoholic beverages, § 21.50.160; consumption of alcoholic beverages in public places prohibited, exceptions, § 25.10.090.

10.50.010 Closing hours for licensed premises.

10.50.015 Prohibited acts.

10.50.020 Civil actions by licenses against minors.

10.50.023 Civil action by licensee regarding purchase by or delivery of alcohol to persons under 21 years of age.

10.50.025 Sales on election day.

10.50.030 Standards governing assembly protests to alcoholic beverage control board.

10.50.035 Operation of licensed premises.

10.50.040 Application fees for conditional use permits for uses involving sale, service or consumption.

10.50.050 Keg or container registration.

### **10.50.010 Closing hours for licensed premises.**

- A. Premises licensed under AS 4.11.080 for the service and consumption of alcoholic beverages shall be closed for the sale, service and consumption of alcoholic beverages between the hours of 2:30 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 3:00 a.m. and 10:00 a.m. on Saturday or Sunday or on a legal holiday recognized by the state under AS 44.12.010.
- B. All other retail premises licensed under AS 4.11.080 shall be closed for the sale of alcoholic beverages between the hours of 1:00 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 2:00 a.m. and 10:00 a.m. on Saturday, and between the hours of 2:00 a.m. and noon on Sunday.

(CAC 6.08.010; AO No. 81-35(S); AO No. 81-197)

### **10.50.015 Prohibited acts.**

It is unlawful:

- A. For a person to barter or sell alcoholic beverages in a business premises that is not licensed by the state alcoholic beverage control board.
- B. For a licensee or his employee or agent to permit a person to drink intoxicating liquor on licensed premises not classified for sale and consumption of hard or distilled liquor by the board.
- C. For a licensee or his employee or agent to sell, attempt to sell, furnish, barter or

permit to be consumed alcoholic beverages in any premises licensed under AS 4.11.080 for the service and consumption of alcoholic beverages between the hours of 2:30 a.m. and 10:00 a.m. Monday through Friday, or between the hours of 3:00 a.m. and 10:00 a.m. on Saturday or Sunday or on a legal holiday recognized by the state under AS 44.12.010.

- D. For a licensee, his employee, agent or any person in licensed premises to sell, attempt to sell, furnish, barter or permit to be consumed alcoholic beverages in any other retail premises licensed under AS 4.21.010 between the hours of 1:00 a.m. and 10:00 a.m. each Monday through Friday, or between the hours of 2:00 a.m. and 10:00 a.m. on Saturday, or between the hours of 2:00 a.m. and noon on Sunday.
- E. For a licensee, his employee, agent or any person in licensed premises to give, barter or sell alcoholic beverages to any person who, within the normal powers of observation, appears to be intoxicated. For the purposes of this section, a person appears to be intoxicated when he exhibits any symptom that indicates substantial loss of control of physical or mental facilities, including but not limited to bloodshot eyes, slurred speech, clumsiness, drowsiness, heavy odor of alcoholic beverages or undue or abnormal excitation or suppression of the passions or feelings.
- F. For a licensee, his employee, agent or any person in licensed premises to give, barter or sell alcoholic beverages to a person under 21 years of age.
- G. For a person under the age of 21 years to enter or remain upon licensed premises unless he is accompanied by his parent, guardian or spouse who has attained the age of 21 years. However, a person 18 years of age or older may enter and remain upon licensed premises in the course of his employment as a musician, entertainer or busboy. In addition, a person under the age of 21 years may enter and remain upon licensed premises also recognized as a restaurant for the purpose of dining or dancing if accompanied by his parent or guardian, or by the parent or guardian of any other minor also present, or by any other adult with the consent of the minor's parents or guardian.
- H. For a person under 21 years of age to solicit the purchase, to attempt to purchase or to possess alcoholic beverages.
- I. For a person under 21 years of age to enter a licensed premises and offer or present to a licensee or his employee or agent or a law enforcement officer a document or statement which does not represent the true age of the person under 21 years of age.
- J. For a person upon licensed premises to refuse, upon demand of the person in charge of such premises or of a law enforcement officer, to produce identification sufficient to prove the age of that person is 21 years of age or older. For the purposes of this section, a state identification card issued under AS 18.65.310, a valid Alaska driver's license or other identification card, when the card is made of or enclosed in plastic and contains a photograph of the license holder and a statement of his age or date of birth, is acceptable as proof of age.
- K. For a licensee, his employee, agent or any person in licensed premises to influence or attempt to influence the selling, giving or serving of intoxicating

liquor to a person under 21 years of age, or to order, request, receive or procure alcoholic beverages from any person for the purpose of selling, giving or serving the alcoholic beverages to a person under 21 years of age.

- L. For a licensee or his employee or agent to permit a person who violates subsection M of this section to remain upon the licensed premises. If the licensee or his employee or agent has actual or constructive knowledge of a violation of subsection M of this section, he "permits" that person to remain if he fails to demand that that person leave the premises, and, if the demand is refused, to notify the municipal police department or state troopers. As used in this subsection, the term "constructive knowledge" means the awareness a licensee or his employee or agent could have through the exercise of diligence in the operation of the licensed premises.
- M. For a person in licensed premises to induce, entice or procure another to engage in any sexual conduct prohibited by this Code, the state or the United States.
- N. For a person to remain upon the licensed premises after being demanded to leave the premises pursuant to subsection L of this section.
- O. For an agent or employee of the licensee, other than a person employed as a bartender, waitress, or combination entertainer and waitress, to solicit, encourage or procure the purchase of alcoholic beverages on the licensed premises.
- P. For a licensee or his employee or agent to permit alcoholic beverages sold for consumption on the premises to be removed from the premises.
- Q. To consume alcoholic beverages on the public streets, alleys, parks and other public places unless permitted by municipal ordinance or regulation.
- R. For a licensee to employ in the licensed business in any capacity which involves the sale or dispensing of alcoholic beverages to the public, any person who has not, prior to the commencement of employment, successfully completed a liquor server awareness training program approved by the state alcoholic beverage control board as provided by Sections 2.30.125.B and 10.50.035.B.6.
- S. For a licensee, his employee or agent to engage in, promote, or in any other way operate any system whereby any person shall be entitled to receive, with or without compensation, or as a gift, prize or gratuity any alcoholic beverages based upon a specified number of prior or current purchases.

(CAC 6.08.020; AO No. 81-35(S); AO No. 81-197; AO No. 85-170; AO No. 92-32; AO No. 96-49, § 1, 3-5-96)

#### **10.50.020 Civil actions by licensees against minors.**

- A. *Actions.* If a person under the age of 21 years has not been allowed to enter and remain within licensed premises in violation of AS 04.16.052(2), such person who, with criminal negligence, enters premises licensed under AS Title 4 in violation of AS 04.16.049 through a door marked by a sign described in this chapter is, in addition to any other penalty provided by law, liable in a civil action to the licensee for both a penalty of \$1,000.00 and an award of reasonable attorney's fees that may be made to the



prevailing party in a civil action under rule 82 of the Alaska Rules of Civil Procedure.

- B. *Signs--defense.* No action may be maintained under this chapter unless the person alleged to be liable under this chapter has entered the licensed premises through a door posted with a sign stating "Warning: It is a violation of AS 04.16.049 for persons under 21 to enter these premises without a parent, adult spouse, or court-appointed legal guardian. Violators will be sued and prosecuted." The lettering on the sign shall be at least one and three-fourths inches in height and the sign is to be posted so as to be clearly visible to a person approaching the door.
- C. *Demand prior to action.* It is a condition precedent to filing an action under this chapter that the licensee or an agent of the licensee send a notice demanding the relief authorized by this chapter to the person to be sued by first class mail at such person's last known address 15 days or more before the action is commenced. It is not a condition precedent to filing an action under this chapter that the person under the age of 21 years alleged to have entered licensed premises was charged or convicted under any statute or ordinance.

(AO No. 98-73(S), § 1, 7-4-98)

#### **10.50.023 Civil action by licensee regarding purchase by or delivery of alcohol to persons under 21 years of age.**

- A. In addition to any other penalty provided by law, the following persons shall be liable in a civil action to the licensee for a civil penalty of \$1,000.00, court costs, and reasonable attorney's fees under the Alaska Rules of Civil Procedure, Rule 82, for the following unlawful acts:
  - 1. A person under 21 years of age who solicits another to purchase an alcoholic beverage from a licensee, in violation of AS 04.16.060 or subSection 10.50.015H.; or
  - 2. A person who orders, purchases or receives an alcoholic beverage from a licensee, or an agent or employee of the licensee, for the purpose of selling, giving, or serving to a person under 21 years of age, in violation of AS 04.16.060 or subSection 10.50.015K.

(AO No. 2002-137, § 1, 9-24-02)

#### **10.50.025 Sales on election day.**

The provisions of AS 04.16.070(a) do not apply in the municipality, and alcoholic beverages may be given, sold or bartered in licensed premises on election day.

(CAC 6.08.070)

#### **10.50.030 Standards governing assembly protests to alcoholic beverage control board.**

The procedure and standards for assembly protests regarding issuance of alcoholic beverage licenses is in Sections 2.30.120 and 2.30.125.

**Editor's note:** This section was formerly codified in the 1977 Code as the first sentence of Section 2.30.125.

#### **10.50.035 Operation of licensed premises.**

- A. Except as otherwise provided in this subsection, the operations procedures set forth in subsection B of this section shall apply to all persons seeking the issue, renewal or transfer of any license issued by the state alcoholic beverage control board by virtue of AS Title 4 and other applicable provisions of law allowing the sale or service of alcoholic beverages. Subsections B.1 and B.5 of this section shall not apply to persons seeking the issue, transfer or renewal of licenses issued under AS Title 4 which do not authorize the sale or service of alcoholic beverages for consumption on the premises licensed.
- B. Persons seeking the issue, transfer or renewal of licenses issued by the state alcoholic beverage control board under AS Title 4 and other applicable provisions of law shall comply with the following operations procedures:

1. *Happy hours.* No licensee may:
  - a. Sell more than one drink for the price of a single alcoholic drink, or sell a drink with increased alcoholic content, or sell a multiple of any number of drinks in a manner which has the effect of selling more than one drink for the price of a single drink.
  - b. Advertise, promote or put in public notice the giving of free alcoholic drinks to customers.
  - c. Advertise, promote or put in public notice the sale of alcoholic beverages at a reduced price at certain times of the day or days of the week. Nothing in this subsection shall prohibit a licensee from increasing prices during times when entertainment is provided.

This subsection shall not be construed to prohibit licensees from giving away or selling at a reduced price food items to customers and patrons.

2. *Games or contests.* No operator may allow, sanction or permit games or contests to be conducted on the premises which include in their competition the consumption of alcohol or in which awards are given by the establishment to patrons in the form of alcoholic beverage products.
3. *Public transportation.* Licensees shall make available to their patrons access to means of public transportation to permit patrons to make arrangements for transportation to a hotel, private residence or other lodging.
4. *Notice of penalties.* No later than September 27, 1985, operators shall place, at conspicuous locations within licensed premises, a clear and legible sign describing applicable penalties for driving under the influence, and for service or sale of alcoholic beverages to minors or intoxicated persons.
5. *Availability of nonalcoholic drinks.* Operators shall have nonalcoholic drinks available for their patrons.
6. *Compliance determination.* In order to determine whether applicants seeking

issue, renewal or transfer of alcoholic beverage licenses have complied with the provisions of this chapter, applicants shall, at the request of the assembly, submit to the municipal clerk such information as is required on a municipal form prepared by the municipal clerk known as the alcoholic beverage licensee compliance form. Upon request, operators shall also provide the municipal clerk with certificates from all current employees demonstrating that those employees have successfully completed a liquor service awareness training program such as the program for techniques in alcohol management (T.A.M.) as approved by the state alcoholic beverage control board.

7. *Solicitation of purchase of alcoholic beverages for consumption by employee.* A person employed by a licensee shall not solicit or encourage any patron of the licensed premises to purchase alcoholic beverages for consumption by the employee or by any other employee. For the purposes of this subsection, the term "employee" includes any contractual arrangement by which an individual provides services to the licensee, whether compensation be in the form of salary, commission, fee or otherwise.
8. *Warning signs for impoundment and forfeiture of vehicles seized pursuant to an arrest for or charge of driving under the influence or refusal to submit to chemical tests.* Operators shall display at conspicuous places in licensed premises two signs warning that vehicles are seized in cases of driving under the influence or refusal to submit to chemical tests. One of these warning signs shall be at least 11 inches by 14 inches in size, and must read, in lettering at least one-half inch high and in contrasting colors or black and white, "DRIVE UNDER THE INFLUENCE--LOSE YOUR CAR." The sign described in the preceding sentence must carry a logo or illustration approved by the chief of police or his or her designee which shows an automobile being towed. The second warning sign shall be at least 11 inches by 14 inches and must read, in letters at least one-quarter inch high and in contrasting colors or black and white, "WARNING: IF YOU DRIVE UNDER THE INFLUENCE OR LET ANYONE DRIVE YOUR VEHICLE UNDER THE INFLUENCE, YOU WILL LOSE YOUR VEHICLE. The police SEIZE cars and trucks driven by intoxicated drivers. A vehicle will be IMPOUNDED for 30 days for the driver's first DUI offense. A vehicle will be FORFEITED if the driver has been convicted of DUI in the past ten (10) years."

(AO No. 85-128(S); AO No. 86-58; AO No. 89-17; AO No. 95-84(S-1), § 20, 5-27-95; AO No. 95-202, § 1, 11-14-95; AO No. 2001-51, § 1, 2-27-01)

**Editor's note:** The amended sign text required in AMC 10.50.035B.8., as amended by AO 2001-51, is required only of new or replacement signs installed after February 27, 2001.

#### **10.50.040 Application fees for conditional use permits for uses involving sale, service or consumption.**

Applicants for conditional use permits required under Title 21 allowing the sale, service or consumption of alcoholic beverages shall pay the same fees as required of other applicants for conditional use permits under municipal regulations promulgated under Section 21.10.040.

(AO No. 93-140(S), § 1, 2-1-94)

**10.50.050 Keg or container registration.**

- A. *Obligations of seller.* Any person who sells, leases, or offers for sale or lease, kegs or other containers holding seven gallons or more of an alcoholic beverage to consumers who are not licensed under AS 04.11 shall, prior to surrendering physical possession of the keg or other container:
1. Require the purchaser of the alcoholic beverage to sign a registration for the keg or other container on an approved form which meets the requirements set forth under subsection (C) of this section;
  2. Require the purchaser to provide identification pursuant to AS 04.21.050;
  3. Affix an approved temporary tag with a unique identifier to all containers of seven gallons or more of an alcoholic beverage prior to surrendering possession or control thereof to a consumer;
  4. Retain a copy of the completed and signed registration form, which shall be retained on the licensed premises for a period of one year and shall be available for inspection and copying by any peace officer or alcohol beverage control board investigator or agent;
  5. Upon return of the keg or other container, the seller shall note the date of return and the initials of the person who accepts the return on the copy of the completed and signed registration form which shall be retained on the licensed premises.
- B. *Obligations of purchaser.* Any person who purchases or leases kegs or other containers holding seven gallons or more of an alcoholic beverage shall:
1. Complete and sign a registration form for the keg or other container on a form provided by the seller pursuant to subsection (A)(1) of this section;
  2. Provide identification pursuant to AS 04.21.050;
  3. Be of legal age to purchase, possess, or use alcoholic beverages;
  4. Not allow any person under the age of 21 to consume the beverage except as provided by AS 04.16.051;
  5. Not remove, obliterate, or allow to be removed or obliterated, the temporary tag attached to the keg or container as required under subsection (A) of this section.
- C. *Identification of containers.*
1. A keg registration form provided by licensees and approved by the Anchorage Police Department shall be properly completed by the licensee for sales and leases of kegs or other containers holding seven or more gallons of an alcoholic beverage for off-premises consumption, and shall contain:
    - a. The name of the seller;
    - b. The name of the purchaser;
    - c. The type and identifying number of the identification presented by the

purchaser pursuant to AS 04.21.050;

- d. A sworn statement, signed by the purchaser under penalty of perjury, stating that the purchaser is 21 years of age or older; will not allow persons under 21 years of age to consume the alcoholic beverages purchased except as provided by AS 04.16.051, will not remove or obliterate or allow the removal or obliteration of the temporary registration tag affixed to the keg or other container, and will return the keg within the time constraints set by the seller;
- e. The return date specified by the seller; and
- f. The unique identifier of the temporary tag attached to the keg or container as required under subsection (A) of this section.

D. *Offenses.*

- 1. It is unlawful for any package store licensee, agent, or employee to sell or offer for sale kegs or other containers containing seven gallons or more of alcoholic beverages to consumers who are not licensed under AS 04.11, if the kegs or containers are not identified in compliance with this section.
- 2. It is unlawful for any person who is not licensed under AS 04.11, to possess, or be in control of a keg or other container containing seven gallons or more of alcoholic beverages which is not identified in compliance with this section or to alter or remove the temporary tag affixed by the seller pursuant to subsection (A)(1) of this section.

E. *Penalties.* Except as provided in AS 04.16.051, a person who violates any provision of Section 10.50.050 shall be subject to a civil penalty of not less than \$75.00 and not more than \$300.00 for each offense as follows:

TABLE INSET:

Violation	Short Title	Fine
10.50.05D.1.	Keg or Container Identification--Seller	
	First Offense	\$75.00
	Second Offense	150.00
	Third and Subsequent Offenses	300.00
10.50.05D.2.	Keg or Container Identification--Purchaser	
	First Offense	75.00
	Second Offense	150.00
	Third and Subsequent Offenses	300.00

(AO NO. 2003-8, § 1, 1-28-03; AO No. 2003-48, §§ 1, 2, 3-18-03; AO No. 2003-115, § 1, 7-25-03; AO No. 2003-126, § 1, 1-1-04)

**Editor's note:** Section 2 of Ord. No. AO No. 2003-126 amended the effective date of this section to read Jan. 1, 2004.

**Cross references:** Licensing, AS 04.11; proof of age, AS 04.21.050; Furnishing or delivery of alcoholic beverages to persons under the age of 21, AS 04.11.051.

Jerry T. Weaver, Jr., Zoning Division Administrator  
April 11, 2005 Zoning Cases  
Physical Planning Division Comments  
Page 2

**2005-051 R-11 Conditional Use for a 4-Unit Condominium Complex**

Physical Planning has no objection to the proposed 4-unit condo, which meets the zoning district, Girdwood Area Plan, Turnagain Arm Comprehensive Plan, and Site Condo Ordinance. The site is designated for multi-family residential and is located outside the avalanche zone area. One additional parking space is required.

**2005-052 Ordinance Amending Title 21 for AMC 21.55 Nonconforming Uses**

**Discussion and comments on this ordinance will be addressed under separate cover.**

**2005-053 Ordinance Amending Title 21 for the Sales, Dispensing, or Service of Alcoholic Beverages**

**Physical Planning Division has no objection to the ordinance amendment.**



# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

**RECEIVED**

**APR 05 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

**DATE:** April 5, 2005

**TO:** Planning Department, Zoning and Platting Division

**THRU:** Jack L. Frost, Jr., Right of Way Supervisor *JL Frost*

**FROM:** Lynn McGee, Senior Plan Reviewer *LMcGee*

**SUBJ:** Request for Comments on Planning and Zoning Commission case(s) for the Meeting of May 2, 2005.

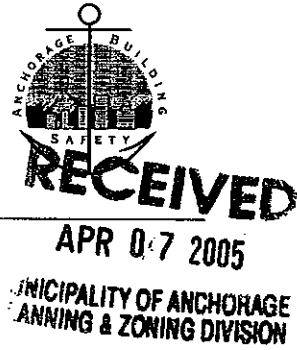
Right of Way has reviewed the following case(s) due April 4, 2005.

- 05-049 Section 35, T13N R3W, grid 1839  
(Site Plan Review, PLI, Alaska Botanical Gardens)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 05-050 University of Alaska, grid 1634  
(Site Plan Review, Native Science & Engineering Facility, UAA)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 05-051 Alyeska, North Addition #3, Block 6, Lot 7, grid 4816  
(Conditional Use 4-Unit Condominium Project)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 05-052 Ordinance Amendment  
(Title 21.55, Non-Conforming Uses)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 05-053 Ordinance Amendment  
(Title 21, Alcoholic Beverage Sales, Dispensing, or Servicing)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.



Municipality of Anchorage  
Development Services Department  
Building Safety Division

MEMORANDUM



**DATE:** April 6, 2005  
**TO:** Jerry Weaver, Jr., Platting Officer, CPD  
**FROM:** Daniel Roth, Program Manager, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due April 4, 2005

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

- 2005 – 049 Site plan review for the Alaska Botanical Garden  
No objection
- 2005 – 050 Site plan review for the Native Science & Engineering Facility – UAA  
No objection
- 2005 – 051 Zoning conditional use for a 4 – unit Condominium complex  
No objection
- 2005 – 053 An ordinance amending Title 21 for the sales, dispensing, or service of alcoholic beverages  
No objection



# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900  
(907) 269-0520 (FAX 269-0521)  
(TTY 269-0473)

March 22, 2005

RE: Zoning Case Review

**RECEIVED**

**MAR 29 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

Jerry Weaver, Platting Officer  
Planning and Development  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities (ADOT&PF) reviewed the following Zoning Cases and has no comment:

**2005-040** Ship Creek Crossing Tract A/Conditional use: restaurant serving alcohol/221 W Ship Creek Ave.

**2005-045** Campbell Creek Commercial Park Tract K/5227 Old Seward Hwy: Conditional use: alcohol

**2005-046** Wonder Park Tract D Lot D3A/4950 Taku Dr/Variance: appeal

**2005-049** Campbell Airstrip Rd Sec 35 T13N R3W SM/ Site plan review: Alaska Botanical Garden

**2005-050** University of Alaska Anchorage UAA Seawolf Dr. & Providence Dr/Site plan review: Native Science & Engineering Facility

**2005-051** Alyeska Subd North Addn #3 Lot 7 Blk 6 NHN Taos Rd/Zoning to R-11

**2005-052** Amend Title 21 for AMC 21.55 Nonconforming uses

**2005-053** Amend Title 21 for the sales, dispensing, or service of alcoholic beverages

**2005-055** Qdoba Mexican Grill 702 E Benson/Conditional use permit restaurant serving alcohol

#### Comments:

**2005-039** Amend Title 21 for Neighborhood Planning: This amendment is a positive step for creating healthy and vital neighborhoods in Anchorage. Please consider emphasizing transportation a little more. Creating a grid system of roads along with a hierarchy of road classifications, from local streets to collectors to arterials enhances the ability to provide for other modes of transportation, be it public transit or trails. A transportation network with the appropriate class of road will also provide essential connections within a neighborhood and throughout the Municipality.

**2005-041** Bella Vista #2 Lot 31A/919 E Dimond Blvd/Site plan review: auto sales: Please let the applicant know that new ADOT&PF driveway permits are required for access to the Old Seward

*"Providing for the movement of people and goods and the delivery of state services."*

**Pierce, Eileen A**

2005-053

**From:** Staff, Alton R.  
**Sent:** Wednesday, March 30, 2005 8:01 AM  
**To:** Long, Patty R.; Pierce, Eileen A  
**Cc:** Taylor, Gary A.  
**Subject:** Platting and Zoning Reviews

**RECEIVED**

**MAR 30 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

The Public Transportation Department has no comment on the following zoning cases:

2005-049 through 053 and 2005-055.

The Public Transportation Department has no comment on the following plats:

S11110-2  
S10549-2  
S11302-1  
S11350-1  
S11351-1  
S11352-1  
S11357-1  
S11358-1  
S11359-1  
S11362-1  
S11363-1  
S11365-1  
S11366-1

Thank you for the opportunity to review.

**Alton Staff**  
Operations Supervisor  
People Mover  
907-343-8230

**Pierce, Eileen A**

**RECEIVED**

**MAR 16 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

**From:** Stewart, Hallie  
**Sent:** Wednesday, March 16, 2005 11:09 AM  
**To:** Pierce, Eileen A; Long, Patty R.  
**Subject:** 05-049,50,51,52,53.doc

**DATE:** March 16, 2005

**TO:** Zoning and Platting Division, OPDPW

**FROM:** Hallie Stewart, Engineering Technician, AWWU

**SUBJECT:** Planning & Zoning Commission Hearing May 5, 2005  
AGENCY COMMENTS DUE April 4, 2005

AWWU has reviewed the case material and has the following comments.

**05-049 Alaska Botanical Garden (site plan review) Grid 1839**

- 1. AWWU has no objection to the proposed perimeter fence that will encompass the gardens to protect new and existing plantings from moose.

**05-050 UAA Native Science & Engineering Facility (site plan review) Grid 1634**

- 1. Water and sanitary sewer plans (private systems) must be reviewed and approved by AWWU prior to any construction.

**05-051 Alyeska North #3, Block 6, Lot 7 (conditional use) Grid SE 4816**

- 1. AWWU water and sanitary sewer mains are located within the Taos Road right-of-way.
- 2. Water and sanitary sewer plans (private systems) must be reviewed and approved by AWWU prior to any construction.
- 3. AWWU does not object to the 4-unit condominium complex.

**05-052 An ordinance amending Anchorage Municipal Code Section 21.55.020 regarding nonconforming lots of record**

- 1. AWWU has no comments on the changes.

**05-053 An ordinance amending Anchorage Municipal Code Section 21.50.160 to add a new section exempting catering and special events permits involving the retail sale and dispensing of alcoholic beverages from the conditional use process**

- 1. AWWU has no comments on the changes.

If you have any questions, call me at 343-8009 or the AWWU Planning at 564-2739.



**RECEIVED**

**MAR 15 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

**FLOOD HAZARD REVIEW SHEET for PLATS**

Date: 03-15-05

Case: 2005-053

Flood Hazard Zone: NA

Map Number: NA

- Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.
- AMC 21.15.020 requires that the following note be placed on the plat:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

- A Flood Hazard permit is required for any construction in the floodplain.
- I have no comments on this case.

Reviewer: Jack Puff

**Municipality  
of  
Anchorage**



**RECEIVED**  
APR 26 2005  
MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

P.O. Box 390  
Girdwood, Alaska 99587  
<http://www.muni.org>

GIRDWOOD VALLEY SERVICE AREA BOARD OF SUPERVISORS  
Tracey Knutson and Diana Stone Livingston, Co-Chairs;  
David Sears, Victor Duncan, Marcus Tingle

*Mark Begich, Mayor*

April 19, 2005

Department of Planning  
Zoning and Platting Division  
P. O. Box 196650  
Anchorage, AK 99519-6650

Subject: Ordinance Amending Title 21 for Sales, Dispensing or Service of Alcoholic  
Beverages, Case 2005-053

Sir or Madam:

The Girdwood Land Use Committee at the regular meeting held April 12, 2005 voted in favor of this ordinance with 18 ayes, no nays and no abstentions.

At the regular Girdwood Board of Supervisors meeting April 18, 2005 the ordinance was discussed. The Girdwood Board of Supervisors vote was five (5) in favor and zero (0) opposed to the motion of non-objection to the ordinance as written.

Thank you for allowing the Girdwood Community to comment on this ordinance.

Sincerely,

Tracey Knutson  
Co-Chair

Copy to:

Girdwood Land Use Committee

**Content Information**

**Content ID :** 003008

**Type:** Ordinance - AO

**Title:** PLANNING AND ZONING COMMISSION RECOMMENDATION ON AN ORDINANCE AMENDMENT TO EXEMPT CATERING FUNCTION FROM THE REQUIREMENTS OF A CONDITIONAL USE.

**Author:** weaverjt

**Initiating Dept:** Planning

**Description:** PLANNING AND ZONING COMMISSION RECOMMENDATION ON AN ORDINANCE AMENDMENT TO EXEMPT CATERING FUNCTION FROM THE REQUIREMENTS OF A CONDITIONAL USE.

**Date Prepared:** 6/27/05 12:27 PM

**Director Name:** Tom Nelson

**Assembly Meeting Date MM/DD/YY:** 7/26/05

**Public Hearing Date MM/DD/YY:** ~~8/23/05~~ 9/13/05

M.O.A.  
 2005 JUL 18 PM 12:03  
 CLERKS OFFICE

**Workflow History**

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	6/27/05 12:30 PM	Checkin	weaverjt	Public	003008
Planning_SubWorkflow	6/30/05 7:55 AM	Approve	nelsontp	Public	003008
ECD_SubWorkflow	6/30/05 10:49 AM	Approve	thomasm	Public	003008
OMB_SubWorkflow	7/5/05 12:29 PM	Approve	mitsonjl	Public	003008
Legal_SubWorkflow	7/5/05 1:22 PM	Approve	fehlenrl	Public	003008
MuniManager_SubWorkflow	7/15/05 10:51 AM	Approve	leblancdc	Public	003008
MuniMgrCoord_SubWorkflow	7/15/05 11:57 AM	Approve	abbottmk	Public	003008