

1 *See AO 2006-90 (5)*

Submitted by: Chair of the Assembly at
the Request of the Mayor

Prepared by: Planning Department

For reading: May 23, 2006

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6 ANCHORAGE, ALASKA

7 AO NO. 2006-90

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9 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
10 ANCHORAGE MUNICIPAL CODE SECTION 21.15.030, APPROVAL OF SITE
11 PLANS AND CONDITIONAL USES.
12

13
14 THE ANCHORAGE ASSEMBLY ORDAINS:

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16 **Section 1.** Anchorage Municipal Code section 21.15.030 is hereby amended to read as
17 follows (*the remainder of the section is not affected and therefore not set out*):
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19 21.15.030 Approval of site plans and conditional uses.

20 * * * * *

21
22 J. Abandonment of conditional use.

23 1. Except for conditional use permits granted by the assembly under Section
24 21.50.160, pertaining to uses involving the sale of alcoholic beverages, an otherwise lawful
25 conditional use permit shall expire if:
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27 a. For any reason the conditional use is abandoned in its entirety for a period
28 of one year or longer; or

29 b. The property owner notifies the planning and zoning commission of the
30 abandonment of the conditional use permit. A conditional use shall not be abandoned
31 under this subsection if the result of the abandonment is the creation of a nonconforming
32 land use.

33 2. A conditional use granted by the assembly under Section 21.50.160,
34 pertaining to uses involving the sale of alcoholic beverages, shall expire if the operation of
35 the business is substantially different than the originally approved business plan and
36 operation, unless the licensee applies for and the Municipal Assembly approves a
37 modification of the existing conditional use for a new business and operations plan; or 180
38 days after the transfer of the license to sell alcoholic beverages from the premises has been
39 approved by the Alcoholic Beverage Control Board, unless there is an application to
40 transfer a new license on the premises filed with the Alcoholic Beverage Control Board
41 prior to the expiration of the 180 day period.

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43 a. For purposes of Section 2 above, "substantially different" shall mean a change in
44 the hours of operation of the business, a change involving the type of entertainment
45 presented, a change in the parking requirements, a change from a business which meets the
46 requirements of the State of Alaska, Alcoholic Beverage Control Board statutes and

1 regulations for a restaurant designation permit to a business which would not meet such
2 requirements or any other material change in the operation of the business which could
3 result in significant impacts on the use and enjoyment of adjacent properties by their
4 owners or occupants.
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6 (GAAB 21.05.060, 21.05.080; AO No. 77-355; AO No. 78-231; AO No. 79-34; AO No.
7 79-214; AO No. 82-22(S); AO No. 82-49; AO No. 84-70; AO No. 85-21; AO No. 85-72;
8 AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-155; AO No. 87-121, 11-27-87; AO
9 No. 88-5(S); AO No. 94-62, § 1, 4-12-94; AO No. 95-129, § 5, 3-12-96; AO No. 2004-6, §
10 1, 10-1-03; AO No. 2004-108(S), § 1, 10-26-04; AO No. 2005-19, § 1, 3-1-05)
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13 **Section 2.** This ordinance shall become effective immediately upon its passage and
14 approval by the Assembly.
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16 PASSED AND APPROVED by the Anchorage Assembly this ____ day of
17 _____, 2006.
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21 _____
22 Chair of the Assembly

23 ATTEST:
24
25

26 _____
Municipal Clerk

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2006-90

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT CONDITIONAL USE TERMINATION	DATE PREPARED 5/23/06	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME Planning Department	DIRECTOR'S NAME	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Municipal Clerk		
	Municipal Attorney		
	Employee Relations		
	Municipal Manager		
	Cultural & Recreational Services		
	Fire		
	Health & Human Services		
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management and Budget		
	Police		
	Port of Anchorage		
	Public Works		
	Solid Waste Services		
	Transit		
	Water & Wastewater Utility		
	Executive Manager		
	Community Planning & Development		
	Finance, Chief Fiscal Officer		
	Heritage Land Bank		
	Management Information Services		
	Property & Facility Management		
	Purchasing		
	Other		
5	Special Instructions/Comments		
	LAID ON THE TABLE ITEM - CONSENT AGENDA-INTRODUCTION		
6	ASSEMBLY HEARING DATE REQUESTED 5/23/06	7	PUBLIC HEARING DATE REQUESTED 6/6/06

2006 MAY 23 PM 3:03
 ALL INFORMATION
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