

MUNICIPALITY OF ANCHORAGE



Planning Department

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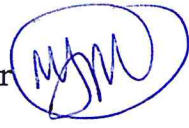
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Mayor Ethan Berkowitz

Director's Interpretation Memo 2019-01

DATE: September 20, 2019

TO: Planning Department; Zoning Plan Review

FROM: Michelle J. McNulty, AICP, Planning Director 

SUBJECT: Interpretation of AMC 21.03.105C.1. *Initiation* to define which "property owner(s)" are required to provide authorization to apply for Special Land Use Permits.

In accordance with Anchorage Municipal Code (AMC) 21.14.010 *Interpretations*, the Planning Director has final authority to determine the interpretation or usage of terms used in this title.

AMC 21.14.040 *Definitions* provides the following definition of "owner:"

Owner

Any person, agent, firm, corporation, or partnership that alone, jointly, or severally with others:

- 1) *Has legal or equitable title to any parcel, premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or*
- 2) *Has charge, care, or control of any parcel, premises, dwelling, or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the district recorders office of the state of Alaska to be the owner of a particular property shall be presumed to be the person in control of that property.*

The Planning Department has determined that authorization from any and all parties who meet the definition of "owner" as defined under AMC 21.14.040 *Definitions* are required to submit letters of authorization as part of any special land use permit for marijuana application. The Planning Department has reached this conclusion by applying the definition of "owner" from AMC 21.14.040 *Definitions* to AMC 21.03.105C.1 *Initiation*.