

Approved by Bayshore Klatt Community Council (BKCC) on December 3, 2015

**A Resolution of BKCC Requesting Modification to DRAFT AO 20XX-
(Adding a new Title 21 code section regarding marijuana)**

WHEREAS the Anchorage Municipal Charter Art, VIII, Sec 8.01 establishes Community Councils as representatives for neighborhoods in planning and development; **and**

WHEREAS on January 27, 2015 the Anchorage Assembly passed Ordinance No. AO 2015-7, an ordinance amending Anchorage Municipal Code Chapter 8.35 with a new section to prohibit the consumption of marijuana in a public place; **and**

WHEREAS on February 24, 2015 recreational use of Marijuana became legal in the State of Alaska under certain regulations. "Know Your Grow" aims to inform citizens and visitors of the Municipality of Anchorage of what they can and cannot do with marijuana within the municipality and under proposed AO 20XX a new section under Title 21 will be added to accommodate facilities; **and**

WHEREAS under state law a person, employer, school, hospital, recreation or youth center, correction facility, corporation or any other entity who occupies, owns or controls private property may prohibit or otherwise regulate the possession, consumption, use, display, transfer, distribution, sale, transportation or growing of marijuana on or in that property. Persons who violate the policy are subject to prosecution for the misdemeanor offense of criminal trespass in violation of AS 11.46.330. In the Municipality of Anchorage, this offense would be cited under 8.45.010; **and**

WHEREAS the BKCC requests the following changes to DRAFT AO 20XX:

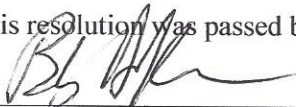
1. Page 3 line 25: Marijuana--Special Land Use Permit (**SUBMIT 45 DAYS PRIOR TO P&Z REVIEW.**)
2. Page 3 line 41: Table: Marijuana--Special Land Use Permit (**SUBMIT 45 DAYS PRIOR TO P&Z REVIEW.**)
3. Page 4 line 17: correction Table reference is incorrect 21.09-1 should be **21.09.2**
4. Page 4 line 18 correction Table reference is incorrect 21.09-2 should be **21.09.3**
5. Page 7 line 21: add following subparagraph: "h. that the information provided in any resolutions passed by Community Councils, and in particularly the Community Council in which the proposed use is located will be given reasonable consideration
6. Page 12 line 6: Dedicated parks **AND DESIGNATED PARKS.**
7. Page 14 line 18: ... and dispute resolution, **AND THAT THEIR CC IS AWARE AND REVIEWED SUCH PLAN.**
8. Page 20 line 16: add sub para b: **CC NOTIFICATION IS REQUIRED 45 DAYS PRIOR TO P&Z OR THE ASSEMBLY REVIEW.**
9. Page 27 line 33: **THERE IS NO MENTION ABOUT A REQUIRED LICENSE.**
10. Page 28 line 4: Dedicated parks **AND DESIGNATED PARKS.**
11. Page 29 line 5: ...and dispute resolution **AND THAT THEIR CC IS AWARE AND REVIEWED SUCH PLAN.**
- 12a. That Exhibit A, Table 21.05-1 be amended to require that all marijuana land use permits **within the Bayshore Klatt Community Council area** be limited to Industrial zoned lands or
- 12b. That Exhibit A, Table 21.05-1 be amended to require that all marijuana land use permits be limited to Industrial zoned lands unless the applicant has obtained prior written permission from the subject Community Council in which the proposed marijuana business would be located, allowing use of a commercial zoned lands for that particular license.
12. In addition to the above paragraphs, modify any other applicable sections

THEREFORE the BKCC hereby resolves:

THAT we **DO** want the above modifications to become part of the AO 20XX prior to passage by the Assembly.

Resolution Vote: For XX Against: Abstain:

This resolution was passed by the Bayshore Klatt Community Council this day of December 3, 2015.


BKCC President


12/03/15