

CITY OF ANCHORAGE
ORDINANCE NO. 6, SERIES 2016

**AN ORDINANCE AMENDING THE C-1 COMMERCIAL ZONING REGULATION
TO PERMIT OUTDOOR SERVICE OF ALCOHOLIC BEVERAGES**

WHEREAS, the Louisville Metro Planning Commission (the “Commission”), following a public hearing on September 4, 2008, recommended to the Council that it adopt certain amendments to the permitted uses within the C-N and C-1 zoned areas of the City to permit the outdoor service of alcoholic beverages by restaurants;” and,

WHEREAS, the Council adopted the recommendations of the Commission as they related to the C-N zone of the City, but rejected the recommendations as they related to the C-1 zone by finding that the adoption of the recommendations in the C-1 zone “could detract of the success these uses would have in the C-N area,...;” and,

WHEREAS, the Council now finds its rationale for rejecting the recommendations of the Commission for the C-1 zone within the City no longer exists; and,

WHEREAS, the Council further finds that the C-1 area within the City is appropriate for the serving of alcoholic beverages indoors and outdoors and for a wider range of restaurant uses; and,

WHEREAS, the Council further finds the additional permitted uses will contribute to the ambiance of the City and will promote the neighborhood character of the Anchorage community; and,

WHEREAS, the Council further finds that these amendments provide for additional economic development opportunities in a manner compatible with surrounding development activity in the City; and,

WHEREAS, although not contiguous with the City’s Village Center, the C-1 area of the City is in very close proximity to the Village Center, which is zoned C-N, and that this Ordinance makes more consistent the permitted uses between C-N and allowing a use in the more intense zoning class of C-1 that is already permitted in the C-N zone, will result in synergy enhancing both the development of the C-N and the C-1 districts; and,

WHEREAS, the Council further finds that the outdoor service of alcoholic beverages, as limited herein, is now appropriate for the C-1 area and will not detract from the success of the businesses already established in the C-N area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ANCHORAGE, KENTUCKY, BY AND THROUGH ITS CITY COUNCIL, AS FOLLOWS:

Section 1. The C-1 commercial zoning regulation is amended as follows:

a. The following current permitted use is deleted in its entirety:

Restaurants, tea rooms and cafes including:

- 1) Restaurants with drive-through windows having prior approval by the agency responsible for traffic engineering;
- 2) Restaurants, tea rooms and cafes where dancing and entertainment is excluded;
- 3) Restaurant with outdoor seating where entertainment is excluded and no alcoholic beverages are served or consumed outside which is adequately screened and buffered from adjacent residential development.

- b. A new permitted use is added:

Restaurants, tea rooms and cafes (without drive-in facilities) with outdoor seating, where alcoholic beverages may be served indoors and outdoors, where dancing and outdoor entertainment are excluded, and where outdoor seating areas are adequately screened and buffered from adjacent residential development with a minimum buffer zone of thirty (30) feet.

Section 2: The City's Code of Ordinances, (Title XV, Land Usage, Chapter 156, Zoning Code, Sections 156.01(A) and (C)) are hereby amended to state the within provisions of this Ordinance.

Section 3: If any other Ordinance of the City of Anchorage shall provide a higher or more stringent standard than the provisions of the zoning regulations hereby adopted, the higher or more stringent standard shall govern.

Section 4: This Ordinance shall become effective upon its passage and publication according to law.

W. THOMAS HEWITT
MAYOR, CITY OF ANCHORAGE

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City Clerk