

MUNICIPALITY OF ANCHORAGE



Planning Department
Current Planning Division

Phone: 907-343-7901
Fax: 907-343-7927

Mayor Dave Bronson

February 15, 2024

Brandon Marcott, P.E.
Triad Engineering, LLC
PO Box 111989
Anchorage, AK 99511

SUBJECT: Temporary Snow Disposal Site, Case 2024-0034

Dear Mr. Marcott:

The Planning Department has reviewed your application for a Temporary Snow Disposal Site within Lancaster Subdivision, Tract 1, and Polen Park Subdivision, Tracts 1 and 2, containing approximately 74 acres. The properties are zoned PLI district and R-2M SL per AO 2019-142aa district. The application was reviewed in accordance with AO 2024-6aa.

The Planning Department **APPROVES** the request subject to the following conditions:

1. The applicant shall conform to the plans and narrative submitted with the application, except as modified by this approval.
2. Noise levels on the site shall not exceed the standards set forth in AMC 15.70.080A, *Property line noise emission standards*, unless waived or mitigated with the approval of the Director of the Anchorage Health Department.
3. This permit shall be posted on-site at a conspicuous location available for reading by the general public. The posted permit shall include the hours of operation, contact information for questions or concerns, and the following appeal information: "Any owner of property within 500 feet from this site may appeal the grant of the permit filing a written notice of appeal with the Municipality's Administrative Hearing Officer (Suite 740, City Hall, 907-343-4535) within 7 calendar days of issuance or posting of the permit, whichever is later. No late-filed appeals will be accepted."
4. Operational hours shall be limited to 7:00 a.m. to 6:00 p.m., seven days a week.
5. This permit shall expire on August 1, 2024, or upon the date of the last snow or ice is present on the property, whichever occurs first. Expiration of the permit does not relieve the permittee of any obligations under the permit, including litter and dust control until released in writing by the Planning Director.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig H. Lyon".

Craig H. Lyon
Director, Planning Department

**ANCHORAGE, ALASKA
AO No. 2024-6, As Amended**

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY WAIVING OR
2 MODIFYING CERTAIN PROVISIONS OF THE ANCHORAGE MUNICIPAL CODE,
3 INCLUDING TITLE 21, LAND USE PLANNING, AND TITLE 15,
4 ENVIRONMENTAL PROTECTION, TO ALLOW FOR TEMPORARY SNOW
5 DISPOSAL SITES DUE TO THE LARGE VOLUME OF SNOW AND
6 INSUFFICIENT LOCATIONS TO PLACE THE SNOW; TO INCLUDE A
7 STREAMLINED PERMITTING PROCESS, AND APPEAL PROCESS UNDER
8 TITLE 14, AND ALLOWING FOR DISCRETIONARY WAIVERS DEEMED IN THE
9 PUBLIC INTEREST.

10
11 **WHEREAS**, this season's snowfall has greatly exceeded the normal average;

12
13 **WHEREAS**, all currently available private snow disposal sites within the Anchorage
14 bowl are at capacity; and municipal snow disposal sites are not available to private
15 snow-hauling contractors;

16
17 **WHEREAS**, new, temporary, snow disposal sites are needed to maintain driving,
18 parking, walking, emergency access, and other activities on private properties and
19 privately maintained roads and sidewalks from becoming unduly problematic or
20 even dangerous to the public as more snow accumulates; and

21
22 **WHEREAS**, the Municipality has passed similar ordinances during winters of high
23 snowfall, see AO 2012-23 (Approved February 28, 2012) and AO 2023-7(S), As
24 Amended (Approved February 21, 2023); now, therefore,

25
26 **THE ANCHORAGE ASSEMBLY ORDAINS:**

27
28 **Section 1.** Anchorage Municipal Code Title 21 provisions governing the
29 Conditional Use Permit process for snow disposal sites, including AMC 21.03.080
30 (Conditional Uses), AMC 21.03.180 (Site Plan Reviews), AMC Chapter 21.05 (Use
31 Regulations), and AMC 21.05.060E.8. (Snow Disposal Sites), are hereby waived or
32 modified as follows.

33
34 Any site that would otherwise require a Conditional Use Permit may, upon filing of
35 a complete application, be granted a temporary permit in lieu of a Conditional Use
36 Permit by the Planning Director.

37
38 The application must contain the following information to be considered complete
39 and eligible for a temporary permit:

40
41 A drainage and water quality plan prepared by a licensed professional
42 engineer. This plan shall analyze the effects of the snow disposal activity
43 upon subsurface and surface water quality conditions and shall specify
44 mitigation measures to reduce identified impacts. This provision may be

1 waived or reduced to a minimal submittal if the municipality determines, in its
2 sole discretion, that it already has sufficient data upon which to make an
3 adequate determination.
4

5 **An environmental remediation plan that adheres to MOA standards for**
6 **the operation of permanent snow disposal sites.**
7

8 A dust and litter plan that identifies the manner of dust control to be used and
9 the manner of trash collection and removal from the site, which shall have
10 minimal impact upon adjacent uses, keeping in mind the temporary nature of
11 the permit.
12

13 An estimate of the amount of snow to be stored at the site, expressed in cubic
14 yards and the average height of the snow to be stored on the site.
15

16 A description of the hours of operation.
17

18 Identification of one or more individuals who shall be responsible for
19 enforcement of the permit conditions to be employed at the site.
20

21 In order to qualify for and maintain a permit, the site shall have the following
22 characteristics:
23

24 *Traffic.* A site shall be located on or have direct access from a street of
25 collector or greater capacity, as defined in the *Official Streets and Highways*
26 *Plan* unless waived by the Traffic Engineer in the public interest.
27

28 *Minimum lot size.* The minimum lot size shall be 30,000 square feet unless
29 otherwise modified by the Planning Director.
30

31 *Maximum height of snow pile.* The maximum height of the snow pile shall be
32 35 feet or the height limit of the zoning district, whichever is less.
33

34 *Minimum setback requirement.* The minimum setback shall be 25 feet from
35 the adjacent public right-of-way or adjacent industrial zoned parcels, and 50
36 feet from adjacent parcels in any other zoning district, unless modified by the
37 Planning Director. The snow storage area and setbacks shall be well-defined
38 on-site.
39

40 *Screening fence or berm.* No screening or berm is required.
41

42 *Landscaping.* No landscaping is required.
43

44 *Parking.* No parking is required. However, site users must obey all traffic laws
45 regarding adjacent rights of way and properties, including rules governing of
46 prohibiting parking adjacent to the site, including parking or staging in rights
47 of way.
48

49 *Illumination:* No illumination is required except as may be necessary to
50 maintain reasonably safe premises and make vehicles entering and exiting
51 the property reasonably visible to other traffic.

1
2 *Drainage and water quality facilities.* Storm drainage and water quality
3 facilities shall be provided as may be required for applicable water quality
4 standards for sites of this type.
5

6 *Signs.* No permanent signs related to the activity of the site as a snow
7 disposal site are allowed and no signs shall have a maximum viewing area
8 of greater than 20 square feet.
9

10 *Noise levels.* Noise levels on the site shall not exceed the standards set forth
11 in AMC 15.70.080A. (Property line noise emission standards), unless waived
12 or mitigated with the approval of the Health Department Director.
13

14 *Permit to be posted on-site.* Upon issuance, the permit shall immediately be
15 posted on-site at a conspicuous location available for reading by the general
16 public. The posted permit shall include the hours of operation, contact
17 information for questions or concerns, and the following appeal information:
18

19 Any owner of property within 500 feet from this site may appeal the
20 grant of the permit by filing a written notice of appeal with the
21 Municipality's Administrative Hearing Officer (Suite 740, City Hall,
22 343-4535) within 7 calendar days of issuance or posting of the permit,
23 whichever is later. No late-filed appeals will be accepted.
24

25 *Authority of impose additional requirements.* Additional requirements may be
26 imposed by the Planning Director to mitigate the impacts of the snow disposal
27 site operations on adjacent uses, consistent with the intent to provide
28 temporary snow disposal sites.
29

30 **Section 2.** *Zoning districts.* Permits under this section may be issued in any zoning
31 district where snow disposal sites are allowed "by right" or by conditional use permit.
32 Permits under this section may be issued in other zoning districts, but only upon
33 concurrence of the Municipal Manager or Mayor.
34

35 **Section 3.** All issued permits will immediately be posted on the Municipality's
36 website at <https://www.muni.org/CityViewPortal/Planning/Locator> and shall not be
37 considered issued until so posted. Any owner of property within 500 feet of a site
38 permitted under this ordinance may appeal the grant of the permit by filing a written
39 notice of appeal with the Administrative Hearing Officer within 7 calendar days of
40 issuance of the permit or on-site posting, whichever is later. No late-filed appeals
41 will be accepted. The Administrative Hearing Officer shall conduct an informal
42 hearing under AMC Title 14 (Administrative Enforcement) within 5 days of receipt of
43 the appeal. For the purpose of adjudication, the Administrative Hearing Officer shall
44 use Title 14 (Administrative Enforcement) and treat the permit as if granted under
45 AMC 21.03.080 (Conditional Uses).
46

47 **Section 4.** Any permit granted under this ordinance shall automatically expire no
48 later than August 1, 2024, or upon the date the last snow or ice is present on the
49 property, whichever occurs first. Expiration of the permit does not relieve the
50 permittee of any obligations under the permit, including litter and dust control until
51 released in writing by the Planning Director. No permits under this ordinance shall

1 be granted after May 1, 2024.

2
3 **Section 5. *Violations of permit.*** Permit violations will be treated as violations under
4 Title 21 or Title 15 as if the permit were a conditional use permit issued under AMC
5 section 21.03.080 (Conditional Uses). Accordingly, and without limitation on other
6 enforcement options, Land Use Enforcement shall have jurisdiction to investigate
7 complaints issue enforcement orders, and take other appropriate action in
8 accordance with AMC Chapter 21.14 (Enforcement), and the Health Department
9 may investigate and issue enforcement orders in accordance with Title 15
10 (Environmental Protection).

11
12 **Section 6. *Fees.*** The application fee for a permit is \$500. The fee for inspections or
13 re-inspections is \$175 per hour.

14
15 **Section 7. The Planning Director shall promptly notify the Assembly in writing**
16 **after each permit is issued, and submit a copy of the permit as an**
17 **informational report on the next regular Assembly meeting agenda.**

18
19 **Section 8[7].** This ordinance does not apply to sites already subject to a current
20 Conditional Use Permit or other current approval (e.g., a "by right" location with all
21 required permits).

22
23 **Section 9[8].** This ordinance shall become effective immediately upon passage and
24 approval by the Assembly.

25
26
27 PASSED AND APPROVED by the Anchorage Assembly this 24th day of January,
28 2024.

29
30
31 *Christopher Constant*

32 _____
33 Chair

34 ATTEST:

35
36
37 *[Signature]*

38 _____
39 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 33-2024

Meeting Date: January 9, 2024

1 **FROM: MAYOR**
2
3 **SUBJECT: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **WAIVING OR MODIFYING CERTAIN PROVISIONS OF**
5 **ANCHORAGE MUNICIPAL CODE, INCLUDING TITLE 21, LAND**
6 **USE PLANNING, AND TITLE 15, ENVIRONMENTAL**
7 **PROTECTION, TO ALLOW FOR TEMPORARY SNOW DISPOSAL**
8 **SITES DUE TO THE LARGE VOLUME OF SNOW AND**
9 **INSUFFICIENT LOCATIONS TO PLACE THE SNOW; TO INCLUDE**
10 **A STREAMLINED PERMITTING PROCESS, AND APPEAL**
11 **PROCESS UNDER TITLE 14, AND ALLOWING FOR**
12 **DISCRETIONARY WAIVERS DEEMED IN THE PUBLIC INTEREST.**
13
14

15 This winter, Anchorage has received a total of 74.6 inches of snow as of December
16 19th. This is the most snow ever recorded in that period of time. Last winter,
17 Anchorage did not receive 70 inches of snow until February 4th. Existing snow
18 disposal sites do not have the capacity needed for this winter.
19

20 This ordinance proactively makes temporary snow disposal sites possible for the
21 remainder of winter. The timing of the ordinance will allow temporary snow
22 disposal sites to obtain permit approval from the Planning Director in coordination
23 with municipal reviewing agencies before snow disposal sites fill up.
24

25 This ordinance has no private-sector economic effects and local government effects
26 are less than \$30,000. Pursuant to AMC section 2.30.053B.1., a summary of
27 economic effects is not required.
28
29

30 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
31

32 Prepared by: Francis McLaughlin, Senior Planner
33 Planning Department
34 Approved by: Craig H. Lyon, Planning Director
35 Concur: Lance Wilber, Community Development Director
36 Concur: Sharon Lechner, Acting OMB Director
37 Concur: Anne Helzer, Municipal Attorney
38 Concur: Kent Kohlhase, P.E., Municipal Manager
39 Respectfully submitted: Dave Bronson, Mayor