

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Real Estate Services
For reading: November 21, 2006

See AO 2006-174(S)

Anchorage, Alaska
AO 2006-174

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.200 RELATED TO MOTORIZED SPORTS CONDITIONAL USES IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT; AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.10.080 TO ALLOW THE ASSEMBLY TO WAIVE CONDITIONAL USE PERMIT REQUIREMENTS FOR TEMPORARY RECREATIONAL USES ON MUNICIPALLY OWNED LAND; AND WAIVING CONDITIONAL USE PERMIT REQUIREMENTS FOR TRACT 4, INTERNATIONAL EAST SUBDIVISION, FOR MOTORIZED SPORTS USES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.40.200D.10. is hereby amended as follows (*the remainder of the section is not affected and therefore is not set out*):

21.40.200 I-1 light industrial district.

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D. Conditional uses. Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

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10. Motorized sports with [ON PARCELS WITH A MINIMUM OF 20 ACRES,] maximum engine sizes [SIZE] of 250 cc's for wheeled vehicles and 600 [550] cc's for snow machines, hours of operation shall be 7:00 a.m. to 10:00 p.m. Monday through Saturday and 12:00 p.m. to 10:00 p.m. on Sunday.

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(GAAB 21.05.050.O; AO No. 77-355; AO No. 79-95; AO No. 81-67(S); AO No. 82-105; AO No. 84-57; AO No. 85-91, 10-1-85; AO No. 85-95; AO No. 86-50; AO No. 86-90; AO No. 87-32; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 92-114; AO No. 95-68(S-1), § 11, 8-8-95; AO No. 95-76, § 1,

4-4-95; AO No. 95-194, § 1, 1-2-96; AO No. 98-160, § 9, 12-8-98; AO No. 98-173, § 5, 11-3-98; AO No. 99-62, § 24, 5-11-99; AO No. 2001-80, § 8, 5-8-01; AO No. 2004-5, § 1, 1-20-04; AO No. 2004-108(S), § 5, 10-26-04; AO No. 2004-178(am), § 1, 1-25-05; AO No. 2005-9, § 3, 3-1-05; AO No. 2005-185(S), § 23, 2-28-06)

Section 2. Anchorage Municipal Code subsection 25.10.080A. is hereby amended as follows (*the remainder of the section is not affected and therefore is not set out*):

25.10.080 Use of municipal property for park or recreational purposes.

A. Any municipal agency designated to manage property under the provisions of Section 25.10.050 may permit the use of the subject property for park and recreational purposes as an interim use, provided that such action shall not be deemed to be a formal designation of the property for such use under the meaning of Charter Section 10.02(8). The assembly may waive by ordinance the conditional use permit requirements for an interim non-profit, recreational use of property when requested by the designated managing municipal agency and the interim use otherwise requires a conditional use permit under Title 21; provided the ordinance contains restrictions similar to the conditional use restrictions for that use and the permitted use is temporary. For purposes of this section, "temporary" means the use shall not exceed 90 days total, consecutive or intermittently, within a twelve month period.

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(AO No. 79-170; AO No. 81-88)

Section 3. The conditional use requirements of Anchorage Municipal Code chapter 21.15, and section AMC 21.50.310 are hereby waived on Tract 4, International East Subdivision, owned by AWWU, for the Alaska Motor Musher's Club non-profit temporary, interim recreational use for motorized sports. AWWU shall, in addition to a use agreement, set forth use restrictions of the property that include limited hours of operation and require compliance with AMC 15.70.090G for noise emissions. The waiver granted herein shall expire April 30, 2007.

Section 4. This ordinance shall be effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____ 2006.

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Chair

ATTEST:

Municipal Clerk

No. AM 854-2006

Meeting Date: November 21, 2006

From: Mayor Begich

Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.200 RELATED TO MOTORIZED SPORTS CONDITIONAL USES IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT; AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.10.080 TO ALLOW THE ASSEMBLY TO WAIVE CONDITIONAL USE PERMIT REQUIREMENTS FOR TEMPORARY RECREATIONAL USES ON MUNICIPALLY OWNED LAND; AND WAIVING CONDITIONAL USE PERMIT REQUIREMENTS FOR TRACT 4, INTERNATIONAL EAST SUBDIVISION, FOR MOTORIZED SPORTS USES.

The Alaska Motor Musher's Club ("AMMC") has requested use of Tract 4, International East Subdivision, currently owned by AWWU and located in the I-1 (light industrial) zoning district, for temporary use for six snow machine events this winter. The AMMC traditionally held its annual snow machine events on another Municipally owned property that is now unavailable because it is being used as a staging area for construction materials for the new convention center. The AMMC's main even annually is a snow machine race held in conjunction with the Fur Rendezvous festival, and the preceeding events prepare the snow race track for the Fur Rondy race. Unless a location is found to hold the six events, they will be cancelled.

The AMMC has attended meetings of the Taku/Campbell, Spenard, and Sand Lake community councils and received their support for use of Tract 4, International East Subdivision for this winter's events. However, the property is in the I-1 (light industrial) zoning district and motorized sports events are a conditional use in this district and minimum lot size is 20 acres. To comply with the Anchorage Municipal Code as currently written, the AMMC or AWWU as property owner would need to obtain a variance and conditional use permit. These processes would take most of the winter to complete, and the costs are prohibitive to the non-profit AMMC. The administration supports a non-profit recreational use of land that is temporary in nature and held in conjunction with a seasonal festival. The attached ordinance makes amendments to the Code and will allow AMMC to use the property this winter.

THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.200 RELATED TO MOTORIZED SPORTS CONDITIONAL USES IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT; AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.10.080 TO ALLOW THE ASSEMBLY TO WAIVE CONDITIONAL USE PERMIT REQUIREMENTS FOR TEMPORARY RECREATIONAL USES ON MUNICIPALLY OWNED LAND; AND

AM for an ordinance allowing recreational use of Tract 4, Int'l East
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1 WAIVING CONDITIONAL USE PERMIT REQUIREMENTS FOR TRACT 4,
2 INTERNATIONAL EAST SUBDIVISION, FOR MOTORIZED SPORTS USES.
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4 Prepared by: Dean T. Gates, Assistant Municipal Attorney

5 Concur: James N. Reeves, Municipal Attorney

6 Concur: Denis Leblanc, Municipal Manager

7 Respectfully submitted: Mark Begich, Mayor