






**SUBJECT:** AN ORDINANCE OF THE MATANUSKA SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.17.100 DENALI STATE PARK SPECIAL LAND USE DISTRICT; MSB 17.18.090 CHICKALOON SPECIAL LAND DISTRICT, AND MSB 17.19.045(E) SHEEP MOUNTAIN SUBDISTRICT OF THE GLACIER VIEW SPECIAL LAND USE DISTRICT.

**AGENDA OF:** September 5, 2017

**ASSEMBLY ACTION:**  
*Amended & adopted without objection*  
*9-19-17*  


**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED** *for* **BY JOHN MOOSEY, BOROUGH MANAGER:** *George W. Hoop*

Route To:	Department/Individual	Initials	Remarks
<i>8/14/2017</i>	Originator: S. Swanger-Jensen		
	Development Services Manager - <i>A. Strawn</i>		
	Planning and Land Use Director	<i>EP</i>	
	Borough Attorney	<i>NS</i>	
	Borough Clerk		<i>8/28/17</i> 

**ATTACHMENT (S) :** Fiscal Note: YES \_\_\_ NO X  
 Planning Commission Resolution 17-36 (3 pp)  
 Ordinance Serial No. 17-097(2 pp)

**SUMMARY STATEMENT:**

The assembly adopted MSB 17.17 Denali State Park Special Land Use District in 1991, MSB 17.18 Chickaloon Special Land District in 1992, and MSB 17.19.045(E) Sheep Mountain Subdistrict of the Glacier View Special Land Use District in 2007. These three districts all contain minimum lot size requirements of five acres as shown below:

**MSB 17.17.100 Denali State Park Special Land Use District**

The minimum lot area for any use shall be five acres. The lot length-to-width ratio shall be a maximum of 1:3 and a minimum of 1:1.

**MSB 17.18.090 Chickaloon Special Land District**

The minimum lot area for any use shall be five acres.

**MSB 17.19.045(E) Sheep Mountain Sub-District of the Glacier View Special Land Use District**

(E) Lot Area. The minimum lot area for any use shall be five acres, except that:

- (1) In the case where a waterbody (as defined in MSB 17.125), public easement or public roadway splits an existing parcel, the minimum lot size may be reduced, as long as the resulting parcels meet all other requirements under MSB Tile 43 and the intent of the goals in the Sheep Mountain Subdistrict Plan.

The five-acre minimum lot sizes were based on recommendations in the associated comprehensive plans, generally to maintain a rural setting with larger lots and lower density.

When larger parcels are divided via the waiver process, which allows the creation of aliquot parts parcels without requiring a survey, the resulting smaller parcels are generally rounded to whole number acreage (i.e. 5, 10, 20 acres, etc.). However, when those aliquot parts parcels are then further subdivided under the preliminary plat process, and an actual survey is conducted, the resulting acreage of a "5-acre" parcel is occasionally reduced by a fractional amount. This is due to the difference between determining aliquot parts acreage and a survey which provides a precise acreage. As a result, when certain property owners in these districts are requesting a subdivision of their parcels, they may not meet the exact minimum lot size requirement. A recent example of this is when a property owner of two adjacent 5-acre aliquot parts parcels in one of these districts wished to modify the common lot line, the survey process indicated one of the resulting parcels could be 5 acres but the remaining parcel would only be 4.81 acres.

This ordinance is intended to accommodate those occasional unique situations while still meeting the intent of the comprehensive plan.

On August 7, 2017, the Planning Commission adopted Resolution No. 17-36 recommending approval of Ordinance Serial No. 17-097.

**RECOMMENDATION OF ADMINISTRATION:**

Staff respectfully recommends approval of Ordinance Serial No. 17-097.

By: S. Swanger-Jensen  
Introduced: July 31, 2017  
Public Hearing: August 7, 2017  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION SERIAL NO. 17-36**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF AN ORDINANCE AMENDING MSB 17.17.100 DENALI STATE PARK SPECIAL LAND USE DISTRICT, MSB 17.18.090 CHICKALOON SPECIAL LAND USE DISTRICT, AND MSB 17.19.045(E) SHEEP MOUNTAIN SUBDISTRICT OF THE GLACIER VIEW SPECIAL LAND USE DISTRICT TO REVISE MINIMUM LOT SIZE REQUIREMENTS.

WHEREAS, The Assembly adopted MSB 17.17 Denali State Park Special Land Use District in 1991, MSB 17.18 Chickaloon Special Land Use District in 1992, and MSB 17.19 Sheep Mountain Subdistrict of the Glacier View Special Use District in 2007; and

WHEREAS, the Assembly adopted a minimum lot size requirement of five acres based on recommendations in the associated comprehensive plans, generally to maintain a rural setting with larger lots and lower density; and

WHEREAS, under previous borough subdivision codes, parcels of lands subdivided through a waiver process were created with aliquot parts descriptions without requiring a survey; and

WHEREAS, an aliquot parts description is a rectangular portion of a section created by midpoint protraction, and typically are rounded-up to whole number acreages; and

OR 17-097  
DM 17-132

acreage inconsistency when parcels are surveyed; and

WHEREAS, a parcel of land that is surveyed has defined survey points creating a precise acreage; and

WHEREAS, five acre parcels, lots or tracts originally created by aliquot parts may not meet the 5-acre minimum lot size requirement when subsequently surveyed.

WHEREAS, the Planning Commission reviewed the prepared Code Ordinance No. 17-097 during the public hearing meeting on August 7, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends Assembly adoption of an ordinance amending the minimum lot area requirement within MSB 17.17.100, Denali State Park Special Land Use District, MSB 17.18.090, Chickaloon Special Land Use District, and MSB 17.119.045(E), Sheep Mountain Subdistrict of the Glacier View Special Land Use District.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7<sup>th</sup> day of August, 2017.

  
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COLLEEN VAGUE, Chair

ATTEST

  
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MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Vague, Anderson, Healy, Chesko, Elder, Glashon,*  
and *Rauchenstein*  
NO: