

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING PROCESSES FOR COMMUNITY COUNCILS TO DEVELOP A COMMUNITY COMPREHENSIVE PLAN OR SPECIAL LAND USE DISTRICT.

AGENDA OF: October 1, 2024

Assembly Action: Defeated with Assemblymembers Hale and Nowers in support 10/01/24 - BJH

AGENDA ACTION REQUESTED: Present to the Assembly for consideration.

Route To	Signatures
Originator: Julie Spackman	9 / 1 7 / 2 0 2 4 X J u l i e S p a c k m a n Signed by: Julie Spackman
Planning Dept. Director: Alex Strawn	9 / 1 7 / 2 0 2 4 X A l e x S t r a w n Signed by: Alex
Finance Director	9 / 1 8 / 2 0 2 4 X C h e y e n n e H e i n d e l Signed by: Cheyenne Heindel
Borough Attorney	9 / 1 8 / 2 0 2 4 X N i c h o l a s S p i r o p o u l o s Signed by: Nicholas Spiropoulos
Borough Manager	9 / 1 8 / 2 0 2 4 X M i c h a e l B r o w n Signed by: Mike Brown
Borough Clerk	9 / 2 0 / 2 0 2 4 X L o n n i e M c K e c h n i e Signed by: Lonnie McKechnie

ATTACHMENT (S): Resolution Serial No. 24-078 (2 pp)
 Planning Commission Resolution 09-14 (AM) (8 pp)
 2024 Community Council Process for Developing a Community Comprehensive Plan or Special Land Use District (7 pp)
 PC Resolution Serial No. 24-21 (3 pp)

SUMMARY STATEMENT:

The Assembly passed RS 24-052 directing staff to assist the South Knik River Community Council in developing a Special Use District (SpUD). Upon review of the Planning Commission action memorandum adopting guidelines for development or update of community based comprehensive plans and SPUDS (09-14 AM), the Planning Department determined that the guidelines were outdated and needed revision.

Staff has developed a new process with three different levels of

staff support for Community Councils developing a draft SpUD/Community Comprehensive Plan. The document clarifies the roles and responsibilities of the Community Council and the MSB under each option. Councils may select one of the three options outlined in the document, depending on what level of MSB staff support will best meet their needs. This allows Community Councils flexibility, while assuring that MSB requirements are also met once the plan is drafted.

Staff is requesting Planning Commission review and Assembly adoption of these process options prior to beginning the process of developing a SpUD with the South Knik River Community Council.

RECOMMENDATION OF ADMINISTRATION: Respectfully request approval.

RECEIVED

APR 14 2009

MATANUSKA SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION 09-14 (AM) CLERKS OFFICE

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION UPDATING GUIDELINES FOR THE DEVELOPMENT OR UPDATE OF COMMUNITY BASED COMPREHENSIVE PLANS OR SPECIAL LAND USE DISTRICT (SPUD) REGULATIONS.

WHEREAS, the planning commission is responsible for making recommendations to the assembly on the Matanuska-Susitna Borough comprehensive plan; and

WHEREAS, the borough assembly has determined that comprehensive plans and implementation of their recommendations shall be conducted on a community by community basis; and

WHEREAS, community based planning efforts should have a well-defined process so that the goals of borough residents are expressed in a productive manner; and

WHEREAS, review of the existing process and increased community planning efforts have revealed the need to update and clarify the guidelines; and

WHEREAS, the planning commission has carefully evaluated the comprehensive planning process, and strives to ensure the wishes of borough residents are expressed, that a balance of interests is achieved, that the process can be conducted in a civil and productive manner, and that the resulting plan is consistent with the 1970 MSB comprehensive plan and associated updates.

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Borough planning commission does hereby establish the following guidelines for the development or update of community-based comprehensive planning efforts, or special land use districts (SpUD):

Request: According to assembly policy, the request for development or update of a community comprehensive plan or Special Land Use District (SpUD) shall be initiated upon written request by the community council or its equivalent local representative body (for the remainder of this document, community council refers to the local representative body).

Scheduling: Community based planning efforts will be scheduled and will be prioritized to accomplish the communities planning goals.

Commission approval of start-up: Once the request is scheduled, staff assistance for the planning effort and the boundaries of the affected area shall be reviewed and approved by the commission. The boundaries of the affected area should generally be consistent with the community council boundaries (except that the Core Area comprehensive plan boundaries shall generally consist of the communities of Gateway, North and South Lakes, Tanaina, Farm Loop, and those areas generally between the

cities of Palmer and Wasilla that are not within any community council).

Guidelines which have been formally adopted by the planning commission shall be utilized for the planning effort.

Notice and planning team appointment: Upon planning commission approval of a planning effort, a general notice will be mailed to the area's property owners and registered voters (if voter list is available) notifying them of the planning effort, the proposed schedule, purpose of the effort, request for planning team nominations, and the contact staff person. At the same time an advertisement will be placed in the newspaper of general circulation also requesting nominations for the planning team. The applications for planning team representatives will be reviewed by a subcommittee of the commission, consisting of the commissioner from the subject area, the council chair or designee, and the staff project manager. The subcommittee's recommendations will be forwarded to the commission for review and comment.

A planning team will be formed with the emphasis placed on ensuring a broad range of representation consisting of community representatives (i.e. property owners, local business owner, education/youth, real estate, etc.), borough staff and agency representatives if needed. The number of community

representatives should range between six and 15 individuals unless otherwise approved by the commission. No more than two community council board members may hold both positions of board member and planning team member. No more than one member of a household unit may be on the planning team.

Planning team members shall complete a commitment form, ensuring the following:

- Lives, owns property, owns a business or other community/agency representative within the planning area;
- Will make the voluntary commitment of time to be available for meetings during the planning effort;
- Will consider compromises that will help manage conflict between competing segments of the community;
- Will listen to and consider testimony from the public and other government agencies as it affects the comprehensive plan;
- Will commit to develop a comprehensive plan that will represent the entire planning area;
- Will commit to distribute accurate information to other community members and clarify misunderstandings.

If any appointed member of the planning team fails to meet the commitments outlined above, he/she may be removed by the

subcommittee upon written request by a majority of the remaining planning team members.

Planning team meetings and public outreach methods: Once the planning project is underway, borough staff will conduct research, inventory resources, prepare background text, and prepare base maps. This information will be prepared in draft form prior to the first working meetings of the planning team. Once working meetings begin, the planning team will determine which public participation methods will be used (i.e. questionnaires, workshops, etc.) to identify major issues within the planning area.

All planning team meetings and other workshops shall be advertised, at a minimum, in the local newspaper and on the borough web-site. Additional notification efforts such as radio public service announcements, flyers posted at public locations, or other methods may be used.

Planning team meetings will be public meetings held in a facility within the community. They will be facilitated by borough staff and public input will be received at a designated time during the meeting. Decisions will be made by appointed team members only. The intent is to provide a forum in which team members can discuss issues, make decisions and reach

consensus as necessary based on their understanding of the wishes of the community.

Workshops will be held at times determined by the planning team throughout the planning process. They will be public meetings in an open house format and will be held in a facility within the community. The workshops will be scheduled over a period of several hours to allow members of the public to stop in at their convenience and talk with team members and borough staff. The intent of the workshops will be to allow the team members to remain abreast of the community on key issues and more importantly to allow community residents to remain informed.

Draft document is produced: Once a draft document is prepared by the planning team, it will be made available at a minimum, at the nearest library and on the borough web-site. A second general notice will be mailed to all property owners and registered voters (if voter list is available) of the area notifying them and requesting their comments on the draft. A notice will also be advertised in the newspaper of general circulation. At least one public meeting will be held to obtain comments on the draft plan or SpUD.

After the comment period closes on the draft document the planning team will review all comments and make appropriate

changes to the plan or SpUD. The team will indicate how comments were either incorporated into the plan or explain why it chose not to incorporate such comments. The team will then forward the planning team approved draft to the community council.

Community Council Review: The community council shall thoroughly review and make a recommendation to the planning commission, on each specific chapter of the plan or SpUD.

Public Hearings: One or more public hearings will be held by the planning commission prior to making a recommendation to the assembly on a community plan or SpUD. The public hearing is to allow the public the opportunity to voice their support or objections prior to the commission's final decision.

Elevation: From time to time issues will arise that members of the planning team will not be able to agree upon. Due to limited resources it will be necessary to resolve the impasse. Upon reaching impasse, the borough project staff will notify the planning director of such and instruct representatives of each side of the issue to prepare briefing papers describing the issue and supporting their position. The briefing papers will be forwarded to the planning director and a meeting scheduled at which a representative of each side would make a presentation. The planning director will issue a written

decision on the issue(s) with supporting rationale. The decision will be forwarded to the planning team and planning commission. The decision will be considered "final" for the purpose of preparing the draft plan or SpUD: that is, the issue will be open for public comment during the public comment stage of the draft plan or SpUD and during the planning commission and assembly's public hearing.

BE IT FURTHER RESOLVED, that all comprehensive plan and SpUD efforts underway at the time of adoption of this resolution, shall comply with this updated planning process for the remainder of the project.

ADOPTED, by the Matanuska-Susitna Borough Planning Commission this 6th day of April 2009.



MARK MASTELLER, Chair

ATTEST:



JUDY E. THOMPSON, Planning Clerk

(SEAL)



MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Planning Division
 350 East Dahlia Avenue • Palmer, AK 99645
 Phone (907) 861-7801
www.matsugov.us

**Community Council Process for Developing a
 Community Comprehensive Plan or Special Land Use District in the MSB**

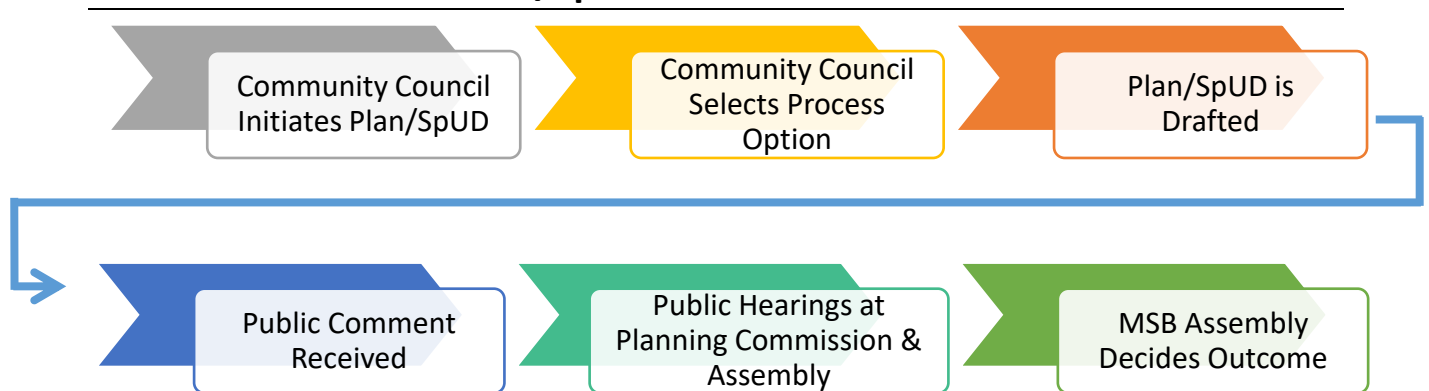
MSB 15.24 establishes the creation of a borough-wide comprehensive plan and districts within the Mat-Su Borough. Community comprehensive plans focus smaller geographic areas within the borough and are customizable to reflect the values and needs of the specific community. Special Land Use Districts (SpUDs) are one type of district represented in borough code. SpUDs can be crafted to meet the goals and needs of the community to which they apply. A SpUD must align with the local Community Comprehensive Plan.

**The following process applies to Community Councils that are developing a
 Community Comprehensive Plan (Plan) or SpUD:**

Initiation of a Community Comprehensive Plan or Special Land Use District

Community Councils typically submit a written request to the Borough as a resolution that is submitted to the MSB Clerk’s Office, with a copy provided to the Planning Department.

Plan/SpUD Process Overview





The following options are available to Community Councils when requesting a Comprehensive Plan or SpUD:		
Option 1	Option 2	Option 3
Limited Assistance from MSB Staff	Moderate Assistance from MSB Staff	In-Depth/Formal Assistance from MSB Staff

OPTION 1: Limited Assistance from MSB Staff

- A. Community Council develops a proposal for a Plan/SpUD on its own. Council follows its own bylaws and complies with the Open Meetings Act (more information on requirements are available from the MSB Clerk’s Office). It is recommended that the Council obtain sponsorship for the Plan/SpUD from an Assembly member or Mayor prior to investing time and energy into the Plan/SpUD development process.
- B. Community Council conducts outreach to the property owners and residents within its boundaries regarding the initiation and progress associated with creating a Plan/SpUD.
- C. MSB Planning staff provides **occasional** technical assistance during the Plan/SpUD development process (e.g., answering technical questions about MSB code, describing the MSB process for adopting Plan/SpUDs, etc.).
- D. Once the Plan/SpUD is drafted by the Community Council, they submit it to the MSB Planning department for staff review and comment. Staff has up to 30 days to review the document and provide comments to the Community Council. At a minimum, Planning staff review will address the administration and enforceability of the Plan/SpUD, as well as alignment with the local and MSB Community Comprehensive Plan. The Plan/SpUD will also be reviewed by MSB Law.
- E. Once any revisions to the draft of the Plan/SpUD are completed by the Community Council, the Council submits the draft Plan/SpUD document to the MSB Planning Department.
- F. Community Council obtains legislative sponsorship for the Plan/SpUD from Assembly member or Mayor.
- G. MSB Planning staff:
 - i. Makes the draft Plan/SpUD document available on the MSB website.
 - ii. Provides a paper copy upon request.
 - iii. Mails a general notice requesting comment on the drafted document to all property owners and registered voters (if a list is available) in the impacted area.
 - iv. Announces and provides a link to the Plan/SpUD draft on primary MSB electronic media platforms (such as Facebook, Planner Platform e-news, Instagram, Weekly Manager’s Post, etc.).



- H. After the comment period closes, MSB Planning staff compiles all the written public comments and provides them to the Community Council in a comment log.
- I. Community Council is responsible for revising the Plan/SpUD document as deemed appropriate.
- J. Community Council confirms sponsorship of Assembly member or Mayor of the Plan/SpUD.
- K. Community Council submits a formal resolution to the MSB Clerk's Office requesting the adoption of the attached final draft of the Plan/SpUD, with a copy to the MSB Planning Department.
- L. Final steps of the process are completed as indicated in the section titled: ***Process after Final Plan/SpUD Document is Submitted by Community Council.***

OPTION 2: Moderate Assistance from MSB Staff

- A. Community Council submits a formal resolution to the MSB Clerk's Office requesting Option 2 for staff assistance to develop a Plan/SpUD. The resolution should briefly state what type of staff assistance is requested (e.g., attending Community Council Plan/SpUD meetings, providing meeting facilitation, responding to and/or researching technical questions, etc.).
- B. MSB staff drafts a resolution (based on the information in the Community Council resolution) for the Planning Commission and the Assembly to allocate staff time to assist the Community Council with developing a Plan/SpUD document. If the Assembly approves the dedication of staff time, the process moves forward with the steps below.
- C. Community Council, determines who is involved in developing the Plan/SpUD. The Council follows its own bylaws and complies with the Open Meetings Act (more information on requirements are available from the MSB Clerk's Office).
- D. Community Council conducts outreach to the property owners and residents within its boundaries regarding the initiation and progress associated with creating a Plan/SpUD.
- E. Based on staff availability, as determined by the MSB Planning Director, MSB Planning staff provides **regular** technical assistance during the Plan/SpUD development process, as requested by the Community Council (e.g., attending Community Council Plan/SpUD meetings, providing meeting facilitation, responding to and/or researching technical questions, etc.).
- F. Once the Plan/SpUD is drafted, the Council submits it to the MSB Planning Department for staff review and comment. Staff has up to 30 days to review the document and provide comments to the Community Council. At a minimum, Planning staff review will address the administration and enforceability of the Plan/SpUD. The Plan/SpUD will also be reviewed by MSB Law.
- G. Once any revisions to the draft of the Plan/SpUD are completed by the Community Council, the Council submits the draft Plan/SpUD document to the MSB Planning Department.
- H. MSB Planning staff:
 - i. Makes the draft Plan/SpUD document available on the MSB website.
 - ii. Provides a paper copy upon request.



- iii. Mails a general notice requesting comment on the drafted document to all property owners and registered voters (if a list is available) in the impacted area.
- iv. Announces and provides a link to the Plan/SpUD draft on primary MSB electronic media platforms (such as Facebook, Planner Platform e-news, Instagram, Weekly Manager's Post, etc.).
- I. After the comment period closes, MSB Planning staff compiles all the public comments and provides them to the Community Council in a comment log.
- H. Community Council revises the Plan/SpUD document as deemed appropriate.
- I. Community Council obtains legislative sponsorship for the Plan/SpUD from an Assembly member or from the Mayor.
- J. Community Council submits a formal resolution to the MSB Clerk's Office requesting the adoption of the attached final Plan/SpUD document.
- K. Final steps of the process are completed as indicated in the section titled: ***Process after Final Plan/SpUD Document is Submitted by Community Council.***

OPTION 3: In-Depth/Formal Assistance from MSB Staff

- A. Community Council submits a formal resolution to the MSB Clerk's Office requesting Option 3 for staff assistance to develop a Plan/SpUD.
- B. MSB staff:
 - i. Drafts a resolution for the Planning Commission and the Assembly to allocate staff time to assist the Community Council with developing a Plan/SpUD document.
 - ii. Drafts a non-code ordinance to create a Board appointed by the Mayor to draft a Plan/SpUD document.
- C. If the Assembly adopts a resolution in favor of staff support and creation of a new MSB Advisory Board, vacancies for the MSB Board are advertised and accepted through the MSB Board vacancy process.
- D. The MSB Mayor appoints, and the Assembly confirms, a seven to eleven member advisory board from the applicant pool. As feasible, advisory board members will be from the following groups:
 - i. 2 members from the Community Council requesting the Plan/SpUD;
 - ii. 3 property owners representing distinctly different geographic areas of the impacted Council area;
 - iii. 2 business owners within the impacted Council boundaries;
 - iv. 4 at-large members from within the impacted Council boundaries.

Nothing in the ordinance obligates the Mayor to make specific appointments, nor the Assembly to confirm specific appointments. The determination of feasibility of membership will be made only by



the Mayor in making appointments, and only by the Assembly in confirming or declining appointments.

- E. The advisory board follows Robert’s Rules of Order and Open Meetings Act.
- F. The advisory board may meet for up to 12 months, preparing a written report for the Assembly no more than one year after the first meeting of the advisory board. The board Chair presents the report to the Assembly. If drafting the Plan/SpUD will require more than 12 months, the board Chair may request an extension.
- G. The advisory board is empowered to develop a draft Plan/SpUD within or encompassing the boundaries of the Community Council requesting the Plan/SpUD.
- H. MSB Planning staff:
 - i. Clerks the advisory board.
 - ii. Creates an advisory board web page on the MSB website where information is posted and updated on a regular basis.
 - iii. Drafts and revise the Plan/SpUD document on behalf of the advisory board.
 - iv. Makes the draft Plan/SpUD document available on the MSB website.
 - v. Provides a paper copy upon request.
 - vi. Mails a general notice requesting comment on the drafted document to all property owners and registered voters (if a list is available) in the impacted area.
 - vii. Announces and provides a link to the Plan/SpUD draft on primary MSB electronic media platforms (such as Facebook, Planner Platform e-news, Instagram, Weekly Manager’s Post, etc.).
 - viii. Maintains a log of written public comments.
 - ix. After the comment period closes, compiles all the written public comments and provides them to the advisory board and Community Council in a comment log; documents advisory board responses in the log for each comment.
 - x. Revises the Plan/SpUD as needed, based on advisory board responses to public comments received.
- J. Final steps of the process are completed as indicated in the section titled: ***Process after Final Plan/SpUD Document is Submitted by Community Council.***



Process after Final Plan/SpUD Document is Submitted

- I. MSB Planning staff:
 - a. Drafts the appropriate legislation required for the Plan/SpUD to be addressed by the Planning Commission and the Assembly.
 - b. Notifies Community Council of the dates for Planning Commission and Assembly meetings when the Plan/SpUD legislation is introduced and public hearings are conducted.
 - c. Provides a staff report at Planning Commission and at Assembly public hearings.
- II. Planning Commission conducts one or more public hearings on the Plan/SpUD, prior to making a recommendation to the assembly on the Plan/SpUD.
- III. Assembly conducts one or more public hearings on the Plan/SpUD, prior to making a determination on the Plan/SpUD.
 - a. A designated representative from the Community Council is given five minutes to speak about the Plan/SpUD during the public hearings at the Planning Commission.
 - b. Additional audience participation may occur during the public hearings, with three minutes per person.
- IV. If adopted, the language of the Plan/SpUD becomes a chapter of Title 17 of borough code. Special Land Use District code is enforceable by the borough in accordance with MSB 1.45.



OVERVIEW OF TASKS AND ROLES

Task	Option 1		Option 2		Option 3	
	CC	MSB	CC	MSB	CC	MSB
Obtain Assembly approval of staff assistance to develop a Plan/SpUD			✓		✓	
Conduct public meetings to draft the Plan/SpUD	✓		✓			✓
Initiate and maintain outreach to impacted public	✓		✓			✓
Select people to draft the Plan/SpUD	✓		✓			✓
Draft and revise the Plan/SpUD documents	✓		✓	✓		✓
Review Plan/SpUD for enforceability, administration, and legal implications		✓		✓		✓
Solicit public comments, document using a comment log, and respond to public comments on FINAL DRAFT of the Plan/SpUD		✓		✓		✓
Obtain sponsorship for the Plan/SpUD final draft by Assembly member or Mayor	✓		✓			
Submit a formal Community Council resolution requesting adoption of the final Plan/SpUD document	✓		✓			
Conduct public hearings (Planning Commission and Assembly) prior to Assembly Plan/SpUD determination		✓		✓		✓

By: Julie Spackman
Introduced: 8/19/24
Public Hearing: 9/16/24
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 24-21**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF PROCESSES FOR COMMUNITY COUNCILS TO DEVELOP A COMMUNITY COMPREHENSIVE PLAN OR SPECIAL LAND USE DISTRICT.

WHEREAS, the planning commission is responsible for making recommendations to the assembly on the Matanuska-Susitna Borough community comprehensive plans and special land use districts; and

WHEREAS, the borough assembly has determined that implementation of community comprehensive plans and special land use districts shall be conducted on a community by community basis; and

WHEREAS, community councils afford citizens an opportunity for maximum community involvement and self-determination; and

WHEREAS, community-based planning efforts should have a well-defined process so communities have clear expectations of the process and can develop a community comprehensive plan or special land use district in a productive manner; and

WHEREAS, transparency and inclusivity in planning processes are essential for building trust and engagement within communities; and

WHEREAS, development of community comprehensive plans and special land use districts are strengthened by the same type of public engagement processes; and

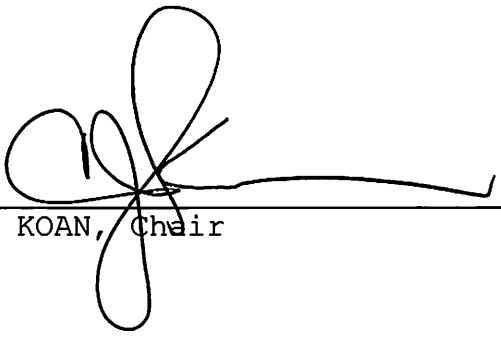
WHEREAS, in 2009, the Planning Commission adopted a process for community councils to develop community comprehensive plans and special land use districts; and

WHEREAS, in May 2024, the Planning Department determined that the 2009 process needed to be updated and drafted a new process for community councils to develop comprehensive plans and special land use districts; and

WHEREAS, the planning commission has carefully evaluated the new planning process developed by the Planning Department.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends Assembly adoption of option three of a resolution outlining the new Community Council process for developing a community comprehensive plan or special land use district.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 16th day of September, 2024.


CJ KOAN, Chair

ATTEST


LACIE OLIVIERI, Planning Clerk

(SEAL)

YES: Shane, McCabe, Glenn, Scoggin, Allen, Fernandez

NO: Koan