

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.73 TO CLARIFY THAT MOBILE HOME PARKS ARE NOT PERMITTED IN THE MATANUSKA-SUSITNA BOROUGH.

AGENDA OF: September 10, 2024

ASSEMBLY ACTION:

Amended and Adopted without objection. 12/17/24 -EMW

AGENDA ACTION REQUESTED: Refer to Planning Commission and then introduce and set for public hearing.

Route To	Signatures
Originator	<div>8 / 2 8 / 2 0 2 4</div> <div>___X___ N S for A s s y m b r N o w e r s</div> <div>Signed by: N i c h o l a s S p i r o p o u l o s</div>
Department Director	<div>8 / 2 8 / 2 0 2 4</div> <div>X A l e x S t r a w n</div> <div>Signed by: A l e x</div>
Finance Director	<div>Expired certificate</div> <div>X L i e s e l W e i l a n d f o r C H</div> <div>Signed by: L i e s e l W e i l a n d</div>
Borough Attorney	<div>8 / 2 9 / 2 0 2 4</div> <div>X N i c h o l a s S p i r o p o u l o s</div> <div>Signed by: N i c h o l a s S p i r o p o u l o s</div>
Borough Manager	<div>8 / 2 9 / 2 0 2 4</div> <div>X M i c h a e l B r o w n</div> <div>Signed by: M i c h a e l B r o w n</div>
Borough Clerk	<div>8 / 2 9 / 2 0 2 4</div> <div>X L o n n i e M c K e c h n i e</div> <div>Signed by: L o n n i e M c K e c h n i e</div>

ATTACHMENT (S): Ordinance Serial No. 24-096 (4 pp)

SUMMARY STATEMENT: This ordinance is sponsored by Assemblymember Nowers to clarify Borough code about mobile home parks. It addresses a gap created by recent Assembly actions that eliminated the permit process and public hearing requirements for proposed mobile home parks, but did not ban mobile home parks. Because of that repeal, mobile home parks can now be built in Mat-Su without giving residents a chance to voice their concerns or provide input through a public hearing. The intent of this ordinance is to prohibit the establishment of new mobile home parks in the Mat-Su unless and until the Assembly reinstates a permit process that includes a public hearing in front of the Planning Commission.

HISTORY

On August 6, 2024, the Matanuska-Susitna Borough Assembly passed ORD 24-053 to repeal MSB 17.48 (Mobile Home Park Ordinance), which had required developers of proposed Mobile Home Parks to obtain a Mobile Home Park permit, Planning Commission approval and mandated residents be given a public hearing in front of the Commission to give input and voice any concerns.

DISCUSSION

It is staff's interpretation that the repeal of MSB 17.48 made mobile home parks more challenging to build in the Matanuska-Susitna Borough, but did not ban them. Developers can now proceed and be approved by applying for a Multi Family permit outlined in MSB 17.73, which doesn't require a public hearing or Planning Commission approval and, unlike the previous permit, doesn't mandate mobile home parks have open spaces like playgrounds or visual vegetated buffers from surrounding properties.

The Multi-Family permit, however – unlike the previous permit – does require that mobile homes be placed on "~~footings, pilings, or~~ permanent foundations" to avoid being classified as "substandard dwellings." However, the range of acceptable supports is broad – something as simple as railroad ties or concrete blocks would qualify.

Under the Multi Family standards of MSB 17.73, there is no reference to "mobile homes" or "mobile home parks." Rather MSB 17.73 defines a "substandard dwelling" and specifically limits how many such dwellings offered for compensation can be placed per lot. Under 17.73, a substandard dwelling is defined as:

A structure used for human habitation, including a structure mounted on skids or wheels, which lacks one or more of the following:

- (a) ~~footings, pilings, or~~ permanent foundations; or
- (b) water plumbed to run within the dwelling; or
- (c) meets the standards of the Alaska State Department of Environmental Conservation waste water and septic systems.

Under MSB 17.73.040, the borough's density ceilings limit these "substandard dwellings" to one substandard dwelling per 40,000 square feet, or two substandard dwellings, regardless of lot size.

For dwellings that are not substandard, MSB 17.73 allows up to 18 units per 40,000 square feet.

Therefore, under 17.73, a developer of a mobile home park with septic and plumbing could place mobile homes on supports such as

railroad ties, thereby avoiding the "substandard" classification and be allowed to put as many as 18 units per acre and no public hearing would be required.

PROPOSED ACTION

To prevent this, the ordinance proposes adding a new section, MSB 17.73.055, titled "Mobile Home Parks Prohibited." It will classify all mobile homes and travel trailers offered for compensation as substandard dwellings.

This will clarify that mobile home parks are prohibited, aligning with the Assembly's intent that the purpose of the repeal was to ban mobile home parks while exploring alternative solutions for affordable housing. It also upholds the borough's commitment to its residents to allow development but not by sacrificing the rights of surrounding property owners to participate in the public process. Additionally, prohibiting mobile home parks supports the goals and objectives of the Matanuska-Susitna Borough Comprehensive Plan and implements the related strategies.

2010 Matanuska-Susitna Borough Economic Development Plan

Goal Five: Raise Awareness of Economic Development Opportunities

- Strategy 5E: Quality development is planned, long term, and integrates with the needs of all citizens. It is not "fly-by-night" or random. While Alaska is known for an abundance of open space, unplanned development is rapidly diminishing the opportunity this represents. View corridors, easy traffic access, and managed growth may seem like unnecessary guidelines, but a growing number of Mat-Su residents know that these are becoming more important by the day. A strategy that encourages and rewards quality development pays off not only in quality job growth.

Matanuska-Susitna Borough Comprehensive Plan

Goal E-3 Create an attractive environment for business investment.

- Policy E3-2: Institute appropriate land use guidelines and regulations that reduce land use conflicts and protect residents and businesses.

Goal (LU-1): Protect and enhance the public safety, health, and welfare of Borough residents.

- Policy LU1-1: Provide for consistent, compatible, effective, and efficient development within the Borough.

Goal (LU-2): Protect residential neighborhoods and associated property values.

- Policy LU2-1: Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood.

RECOMMENDATION OF ADMINISTRATION: Refer to Planning Commission and then introduce and set for public hearing.

RECEIVED
NOV 20 2024
CLERKS OFFICE

By: A. Strawn
Introduced: October 7, 2024
Public Hearing: November 18, 2024
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 24-29**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.73 TO CLARIFY THAT MOBILE HOME PARKS ARE NOT PERMITTED IN THE MATANUSKA-SUSITNA BOROUGH.

WHEREAS, Assembly Ordinance 24-053 repealed MSB 17.48 Mobile Home Parks in its entirety, thereby eliminating the permit process and public hearing requirements for proposed mobile home parks, but did not ban mobile home parks; and

WHEREAS, because of that repeal, mobile home parks constructed on foundations can now be built in Mat-Su without giving residents a chance to voice their concerns or provide input through a public hearing; and

WHEREAS, the intent of this ordinance is to prohibit the establishment of new mobile home parks in the Mat-Su unless and until the Assembly reinstates a permit process that includes a public hearing in front of the Planning Commission; and

WHEREAS, Alaska's cold temperatures pose a challenge for mobile homes which typically have less insulation than permanent housing structures. This can lead to higher heating costs,

difficulty in maintaining a stable interior temperature, and vulnerability to freezing water lines; and

WHEREAS, mobile homes pose an increase risk to death in the event of a fire because they are typically constructed with highly flammable materials, are small and confined, and lack proper escape routes; and

WHEREAS, establishment of mobile home parks may lead to lower property values in surrounding areas.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 24-096.

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

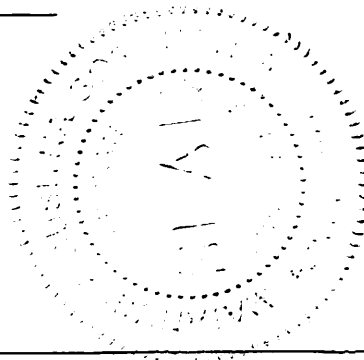

C J KOAN, CHAIR

ATTEST



Lacie Olivieri
Planning Clerk

(SEAL)



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

NO: None