

CODE ORDINANCE

Sponsored by: Borough Manager  
Introduced: 05/03/22  
Public Hearing: 05/17/22  
Adopted: 05/17/22

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 22-062**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.05 ESSENTIAL SERVICE UTILITIES TO EXCLUDE THE PORT MACKENZIE SPECIAL USE DISTRICT.

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WHEREAS, MSB 17.05, Essential Service Utilities code requires an extended public notice process for certain types of utility services that includes the Port MacKenzie Special Use District and excludes the city boundaries of Houston, Palmer, and Wasilla; and

WHEREAS, MSB 17.23, Port MacKenzie Special Use District, is primarily zoned for commercial and industrial uses and is the only commercial and industrial district within the Borough aside from commercial and industrial land within the city boundaries of Houston, Palmer, and Wasilla; and

WHEREAS, the Port MacKenzie Special Use District code provides the intent, purpose, and use of land within the Special Use District and are specific to the types of development within each zoning district; and

WHEREAS, the Port MacKenzie Master Plan 2016 Update as adopted by the Assembly is a source of information for Borough-Owned land uses and development standards and used as a basis to protect existing development, which includes utilities; and

WHEREAS, development within the Port MacKenzie Special Use District requires a public noticing process pursuant to MSB 23.05.025 for any interest in Borough-Owned land or resources for a period exceeding one year, and pursuant to MSB 17.03 for the required development permit; and

WHEREAS, the requirements of MSB 17.05 public notice process, is excessive within the Port MacKenzie Special Use District given the requirements and standards outlined in code for any commercial or industrial development within each specific zoning district.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.05 is hereby amended to read as follows:

Section 17.05.02 APPLICABILITY.

(A) This chapter applies to all areas of the Borough except within the city boundaries of Houston, Palmer, [AND] Wasilla, and the Port MacKenzie Special Use District boundary. This chapter applies to municipal utilities that extend beyond city boundaries and the Port District boundary into unincorporated Borough lands.

Section MSB 17.05.040 TYPE II ESSENTIAL SERVICE UTILITY.


(A) All proposed Type II essential service utilities shall require a public involvement program in accordance with a public participation plan as submitted by the utility in all areas of the borough excluding the cities of Houston, Palmer, [AND] Wasilla, and the Port MacKenzie Special Use District boundary.

Section 3. Effective date. This ordinance shall take effect upon adoption.


ADOPTED by the Matanuska-Susitna Borough Assembly this 17 day of May, 2022.

  
EDNA DeVRIES, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, McKee, Yundt, Tew, Sumner, and Bernier

