



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

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MEMORANDUM

Date: October 24, 2017

To: Borough Assembly

Thru: John Moosey, Borough Manager

From: Eileen Probasco, Planning and Land Use Director *E Probasco*

RE: Supplemental information memo #2 for **Ordinance 17-033**, for the November 7, 2017 assembly meeting.

At their meeting of June 6, 2017 the Assembly postponed action on Ordinance 17-033, and requested a joint meeting of the planning commission and the platting board to resolve differences in suggested changes to Title 43, to be completed by August 31.

A joint meeting was held on Tuesday, July 31, 2017. Members of the public who testified at the assembly's June 6 meeting were also invited. The meeting was structured in such a manner that open dialog was allowed, and members of the audience had the opportunity to participate in the discussion. Following the open dialog, the regular meeting was reconvened and the planning commission and platting board discussed and took final action on the 8 items that were unresolved.

Members of the public who testified at the assembly's June 6, 2017 meeting and/or were specifically invited to the July 31 meeting were: Jess Hall, Pio Cottini, Jim Colver, Kevin Sorenson, Rob Yundt, Tim Cruz and Gary LoRusso. Those who attended and actively participated in the July 31 meeting: Jess Hall, Pio Cottini, and Gary LoRusso.

Finally, at their regular meeting on October 23, 2017, the planning commission held a public hearing and adopted Resolution 17-51, accepting the platting board's proposed changes to Flag Lots, and recommending assembly approval of those changes.

Staff recommends incorporation of these changes into assembly Ordinance 17-033. Should the assembly agree with this recommendation, the appropriate motions would be:

1. Move to amend Ordinance 17-033 by including the changes outlined in Planning Commission Resolution 17-32, adopted July 31, 2017, which resolves the differences between the PC and PB's Substantial changes.
2. Move to amend ordinance 17-033 by including the changes outlined in Planning Commission Resolution 17-20, which reflect the Parking Lot changes, agreed to by the PC and PB (included in the June 6, 2017 assembly packet).
3. Move to amend ordinance 17-033 by including the changes outlined in PC Resolution 17-51, adopted October 23, 2017, concerning changes to the sections on flag lots, agreed to by the PC and PB.

Attachments:

PC Resolution 17-32 (9 pages)

PC Resolution 17-51 (5 pages)

By: Eileen Probasco
Introduced: July 17, 2017
Public Hearing: July 31, 2017
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 17-32**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING FURTHER AMENDMENTS TO ORDINANCE SERIAL NUMBER 17-033, MSB 43 SUBDIVISIONS, CONCERNING SUBSTANTIAL ITEMS PREVIOUSLY APPROVED BY PC RESOLUTION 17-01, WHICH WAS ADOPTED MARCH 6, 2017.

WHEREAS, the planning commission adopted resolution 17-01 on March 6, 2017, supporting platting board recommended changes to Title 43 Subdivisions concerning Substantial items in the March 1, 2013 platting division staff memorandum; and

WHEREAS, at the March 6 meeting, the planning commission incorporated additional changes into the resolution, which staff had identified, but the platting board had not included in their recommendations to the commission; and

WHEREAS, the additional changes were incorporated into the draft of Assembly Ordinance Serial number 17-033; and

WHEREAS, at their June 6, 2017 regular meeting, the assembly postponed action on ordinance 17-033 and requested a joint meeting of the planning commission and the platting board to resolve differences in suggested changes to Title 43 Subdivisions; and

WHEREAS, the planning commission and the platting board held a joint meeting on July 31, 2017 to discuss the changes, and then conducted a public hearing, and the commission adopted Resolution 17-32, reflecting their conclusion on those changes.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends the following amendments to Ordinance Serial Number 17-033:

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CHANGE #1

On Page 1 of the Ordinance, Amend the 1st part of Section 2 (pertaining to 43.05.015 Purpose and Scope (A)), as follows:

(A) [THIS TITLE IS TO PROMOTE THE COMMON GOOD AND WELFARE WITH REGARD TO PLATTING OF SUBDIVISIONS. THIS TITLE ESTABLISHES CONSISTENT MINIMUM GUIDELINES FOR THE REGULATION OF THE SUBDIVISION AND PLATTING OF LANDS WITHIN THE BOROUGH IN ACCORDANCE WITH STATE STATUTES.]

This title is to promote the common good and welfare with regard to platting of subdivisions. This title establishes consistent minimum guidelines for the regulation of the subdivision and platting of lands within the borough. The purpose of this title is to incorporate Alaska Statutes AS 29.40.070, which includes but is not limited to the control of:

(1) form, size, and other aspects of subdivision, dedications, and vacations of land;

(2) dimensions and design of lots;

(3) street width, arrangement, and rights-of-way, including requirements for public access to lots and installation of street paving, curbs, gutters,

sidewalks, sewers, water lines, drainage, and other
public utility facilities and improvements;

(4) dedication of streets, rights-of-way, public
utility easements and areas considered necessary by
the platting authority for other public uses.

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CHANGE #2

On Page 2 of the Ordinance, delete the 2nd part of Section 2 [pertaining to the addition of (B)(4)(5) and (6)], as follows:

(B) The following list of documents are to be incorporated within MSB Title 43 as if fully set forth in this title:

(1) BLM manual of survey instructions;

(2) platting procedures pamphlet; [AND]

(3) Subdivision Construction Manual.

~~(4) MSB Title 11;~~

~~(5) MSB Title 15; and~~

~~(6) MSB Title 17.~~

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CHANGE #3

On page 12 (Section 7) of the Ordinance, amend item (D) concerning Public Use Easement Acceptance Procedure, 43.15.021 (D) by removing "prior to final approval" as follows:

(D) If road construction is proposed, [THE OFFEROR SHALL DEMONSTRATE THAT THE PHYSICAL ROAD IS FEASIBLE WITHIN THE PUBLIC USE EASEMENT AND THAT ALL APPROVALS REQUIRED FROM FEDERAL, STATE, BOROUGH AND OTHER REGULATORY AGENCIES HAVE BEEN ISSUED OR FINAL RECORDING WILL BE CONTINGENT UPON OTHER PERMITS AND APPROVALS] all permits and approvals from federal, state, or other municipal regulatory agencies applicable to the construction of the road shall be submitted to platting staff ~~prior to final approval~~.

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On page 20, Section 10, of the Ordinance, amend the proposed addition of (H) as follows:

(H) Prior to final plat approval recordation, all permits and approvals from federal, state, or municipal regulatory agencies shall be submitted to platting staff.

[illegible]

CHANGE #5

On page 24 of the Ordinance, in Section 16, remove the proposed addition of 43.20.020 Standards; General (C) as follows:

(A) This chapter establishes general design standards for subdivision development which, except as provided otherwise, govern all subdivisions in the borough.

(B) Construction of improvements within subdivision shall also comply with official construction standards for public improvements under the Subdivision Construction Manual.

~~(C) All accesses to proposed subdivisions shall, if reasonably possible, take access toward road corridors delineated in the Long Range Transportation Plan, Official Streets and Highways Plan.~~

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ADOPTED by the Matanuska-Susitna Borough Planning
Commission this 31st day of July, 2017.



COLLEEN VAGUE, Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)



PASSED UNANIMOUSLY: Vague, Anderson, Healy, Chesbro, Elder,
Glashan, and Rauchenstein

By: Eileen Probasco
Introduced: October 9, 2017
Public Hearing: October 23, 2017
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 17-51**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AMENDMENTS TO MSB TITLE 43 SUBDIVISIONS, CONCERNING FLAG LOTS.

WHEREAS, the planning commission adopted resolution 17-01 on March 6, 2017, supporting platting board recommended changes to Title 43 Subdivisions concerning Substantial items in the March 1, 2013 platting division staff memorandum; and

WHEREAS, at the time this action was taken, the platting board had not yet finalized their recommendations on Flag Lots; and

WHEREAS, at their June 6, 2017 regular meeting, the assembly postponed action on ordinance 17-033 and requested a joint meeting of the planning commission and the platting board to resolve differences in suggested changes to Title 43 Subdivisions; and

WHEREAS, the planning commission and the platting board held a joint meeting on July 31, 2017 to discuss the changes, and then conducted a public hearing, and the commission adopted Resolution 17-32, reflecting their conclusion on those changes, however, proposed changes to Flag Lots were still pending; and

WHEREAS, the platting board has finalized their recommended changes concerning Flag Lots, and wishes the commission to forward these changes to the assembly for inclusion into Ordinance 17-033.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends the following amendments to Ordinance Serial Number 17-033:

Section 46. Adoption of subsection. MSB 43.20.300(E), Lot and Block Design, is hereby adopted as follows:

(E) Flag lots

(1) Flag lots are defined in MSB 43.05.005 and further defined as having a pole portion which is 100 feet wide or less.

(2) The pole portion of flag lots shall:

(a) not be included in the usable area calculations;

(b) not be included in the depth-to-width ratio;

(c) not exceed a length of 2,640 feet.

(3) Utility easements and utilities shall be located outside of the length of the flag pole portion of the lot;

(a) excepting where the flag pole is greater than 75 feet wide to accommodate utilities.

(4) When served by road access, multiple flag lots within the proposed subdivision with pole portions adjoining, shall:

(a) share a common access point to the road at the road right-of-way line;

(b) be overlaid with a public use easement over the width of the pole portion and extend into the flag portion an adequate distance to provide for a turnaround designed to Subdivision Construction Manual standards;

(i) applies to lots greater than 2.5 acres;

(c) be served by a public use easement created to provide sufficient access to subject parcels when a common access point is a requirement for subdividing.

(5) For flag lots containing 2.5 acres or less, the minimum pole portion width is:

(a) 30 feet where two or more pole portions are adjoining;

(b) 40 feet for a single pole portion;

(i) 45 feet if access is onto a cul-de-sac.

(6) For lots greater than 2.5 acres, the

minimum pole portion width is:

(a) 30 feet where two or more pole portions are adjoining;

(i) 45 feet if access is onto a cul-de-sac;

(b) 60 feet for a single pole portion.

(7) Flag lots are limited to 10 percent of the total number of lots for any subdivision of 60 or more lots, up to a maximum of 10 flag lots, and no more than six lots for a subdivision of less than 60 lots. The calculated amount shall be rounded to the greater number in case of a fraction of one-half or greater, and rounded to the lesser number in case of a fraction of less than one-half.

Section 47. Amendment of section. MSB 43.20.320, Frontage, is hereby amended as follows:

(A) Exclusive of flag lots, lots shall contain a minimum of 60 feet of frontage, unless located on a cul-de-sac, in which case the minimum frontage may be 45 feet.

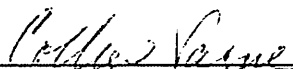
(B) Frontage for flag lots is pursuant to MSB 43.20.300 (E) .

Section 48. Amendment of section. MSB 43.35.340, Lot Dimensions, is hereby amended as follows:

(A) Exclusive of flag lots, lots adjacent to a watercourse or body of water shall be a minimum of 125 feet in width at the waterline, as measured directly between property corners at the waterline, or a minimum of 85 feet in width if community sewerage is provided to the lot.


(B) For flag lots where water is the only legal access, water body frontage is pursuant to 43.20.300(E) .

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 23rd day of October 2017.



COLLEEN VAGUE, Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Vague, Anderson, Healy, Chusko, Elder, and
Rauchenstein*

NO: