

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTING AMENDMENTS TO MSB 17.73 MULTI-FAMILY DEVELOPMENT, AND TO ADDRESS DENSITY, SEPTIC REQUIREMENTS, AND CONDO-PLAT CONCERNS ON LOTS WITH MULTI-FAMILY DEVELOPMENT.

AGENDA OF: October 17, 2017

Assembly Action:

Adopted without objection 10-17-17
(Signature)

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator; E. Probasco	<i>EP</i>	
	Planning and Land Use Director	<i>EP</i>	
	Finance Director	—	
	Borough Attorney	<i>/</i>	<i>Declined</i>
	Borough Clerk	<i>JMM</i>	<i>10/17/17</i> <i>(Signature)</i>

ATTACHMENT(S): Fiscal Note: YES ☐ NO ☒ XX
Resolution Serial No. 17-073 (5 pp)

SUMMARY STATEMENT:

According to the September 17, 2017, Alaska Economic Trends, the Matanuska-Susitna Borough continues to be the fastest growing region in the State of Alaska, growing by 15% between 2010 and 2016. In 2016, the Mat-Su Borough led the state for new home construction, with 44 percent of Alaska's new housing units being constructed within Mat-Su. This growth has spurred new development models for providing affordable, more dense housing opportunities, often in areas that do not have access to a municipal water or sewer system.

Much concern has been expressed by the public about the impact of this development on groundwater quality and the unregulated proliferation of multiple septic systems on one residential lot. The borough has also received other complaints about the

unregulated proliferation of multi-family developments and their potential impact on residential neighborhoods concerning density, traffic, safe driveway access, landscaping, drainage, adequate emergency response vehicle maneuverability, and adequate on-site open space for recreation purposes.

The Borough's multi-family development code was originally established in 2006 by the assembly to ensure protection of life/safety issues, and to protect the public health, safety and welfare. However, over time, amendments were made to the multi-family development code changing the density requirements to six dwelling units per 40,000 square feet, and reducing other requirements significantly. As a result, the current regulations do not accomplish these goals and no longer address septic or traffic issues, and the remaining requirements are minimal.

COMPLIANCE WITH BOROUGH COMPREHENSIVE PLAN

The Borough's Comprehensive Development Plan, 2005 Update, Community Quality Goal 1 (CQ1) states in part: *Protect natural systems and features from the potentially negative impacts of human activities, including but not limited to, land development;* and policy CQ2-2 states: *Comprehensively manage activities that may adversely impact surface and groundwater quality or quantity.* The plan also states that the Borough's desire and duty to protect natural resources must be balanced with the obligation to accommodate future growth and to provide a development process that is timely, predictable, and equitable to developers and residents alike. The existing multi-family development regulations do not support the borough's comprehensive plan goals.

APPLICABLE STATE REGULATIONS

In October 2016 the Alaska Department of Environmental Conservation (ADEC) adopted new regulations, concerning wastewater disposal, which now includes a requirement for a ADEC plan review and approval for septic systems on a lot/parcel that contains more than two (2) residential units or a discharge greater than 1499 gallons. This plan review requirement was not contained in the previous regulations. Of concern to staff is also the State's Condo-Plat process, which it appears could potentially allow the creation of multiple sub-standard sized lots from parcels with multiple dwelling units, under separate ownership, that could end up with failing septic issues that cannot be resolved.

RECOMMENDATION:

Staff recommends adoption of the attached resolution, supporting amendments to the multi-family development issues.