

CODE ORDINANCE

Sponsored by: Assemblymember Sumner
Introduced: 02/02/21
Public Hearing: 02/16/21
Adopted: 02/16/21

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 21-012**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ANNEXING PARCELS THAT ARE IN THE PROCESS OF BEING SUBDIVIDED FROM THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA INTO THE CENTRAL MAT-SU FIRE SERVICE AREA, TO ADHERE TO THE PROVISIONS FOUND IN MSB 43.15.049(E), FINAL PLAT; GENERAL PROVISIONS; AND MAKING THE BOUNDARY CHANGES TO MSB 5.25.142(A) AND 5.25.140(A).

WHEREAS, there is a proposed subdivision scheduled to be heard by the Platting Board; and

WHEREAS, the proposed subdivision contains two different fire service areas; Greater Consolidated Palmer FSA and the Central Mat-Su FSA; and

WHEREAS, there are portions of this subdivision that have topographical constraints and was designed to create lots with suitable building and septic area, which is required by code; and

WHEREAS, some of these lots are split by a fire service area boundary; and

WHEREAS, per MSB 43.15.049(E) "Service area boundary requirements. It shall be a condition of subdivision approval that no lot, tract, or parcel be split by a service area boundary. Proposals to create a lot, tract, or parcel that would be split by a service are boundary must realign the service area boundary prior to the final plat approval." and

WHEREAS, the service area boundary needs to be adjusted so the entire subdivision is located in the Central Mat-Su Fire Service Area to satisfy a condition of approval prior to the plat recordation; and

WHEREAS, a petition was submitted to annex this parcel into the Central Mat-Su Fire Service Area; and

WHEREAS, 100 percent of the property owners signed the petition to be annexed; and

WHEREAS, this boundary change (annexation) is allowed by AS 29.35.450(c)(1)(ii) that states "increasing or decreasing the number of parcels of land in the service area or successor service area if the parcel is transferred to a service area that provided more accessible fire protection services to the transferred parcel;" and

WHEREAS, the Manager finds that this boundary change serves the public interest as buildable lots are being created and more access to fire protection will be had for these lots as they will be served by one FSA rather than any confusion to which FSA provides protection and that these lots are located closest to a fire station in the Central Mat-Su Fire Service Area.

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. Finding. The Assembly find more accessible fire protection will be provided because the subdivision to be created

will comply with MSB 43.15.049(E) and eliminate confusion over which area is to provide the fire protection services and that this subdivision is located closer to a fire station in the Central Mat-Su Fire Service Area.

Section 3. Amendment of section. MSB 5.25.142(A) is hereby amended to read as follows:

Greater Palmer Consolidated Fire Service Area No. 132:

**Township 19 North, Range 1
East, Seward Meridian,
Alaska**

Section 26 All

Sections 27 and 28 All

Section 29 All that
portion that lies east of
Government Creek

Sections 32, 33, 34, and
35 All

**Township 19 North, Range 2
East, Seward Meridian,
Alaska**

Section 21 SW $\frac{1}{4}$

Section 28 That portion
westerly of the western
ordinary high water mark
of Moose Creek

Section 33 That portion
southerly and westerly of

the southern ordinary high
water mark of Moose Creek

Section 34 That portion
southerly and westerly of
the southern ordinary high
water mark of Moose Creek

**Township 18 North, Range 1
West, Seward Meridian,
Alaska**

Section 13 S $\frac{1}{2}$

Section 24 N $\frac{1}{2}$, N $\frac{1}{2}$ SE
 $\frac{1}{4}$, ~~[S $\frac{1}{2}$]~~, SW $\frac{1}{4}$ SE $\frac{1}{4}$

**Township 18 North, Range 1
East, Seward Meridian,
Alaska**

Section 1 W $\frac{1}{2}$

Sections 2, 3, 4, and
5 All

Sections 7, 8, 9, 10, 11,
and 12 All

Sections 13, 14, 15, 16,
17, and 18 All

Section 20 All

Section 23 NE $\frac{1}{4}$

Section 24 N $\frac{1}{2}$, SE $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 25 E $\frac{1}{2}$,
together with that portion
of the W $\frac{1}{2}$ described as:
Beginning at a point on
the East boundary of

Ptarmigan Heights
Subdivision, according to
Plat No. 2000-72 recorded
August 24, 2000, in the
Palmer Recording District,
Alaska, lying South
00°06'53'' East and 477.86
feet distant from the
northeast corner of said
subdivision; thence South
43°51'12'' West for 690.96
feet; thence South
46°15'00'' East for 353.55
feet; thence South
00°00'00'' East for 100
feet; thence North
89°56'11'' East for 225.00
feet to the center one-
quarter corner of Section
25; thence North
00°06'53'' West for 842.50
feet to the point of
beginning

Section 34 SE $\frac{1}{4}$, E $\frac{1}{2}$
SW $\frac{1}{4}$

Section 35 S $\frac{1}{2}$

Section 36 S $\frac{1}{2}$, NE $\frac{1}{4}$

**Township 18 North, Range 2
East, Seward Meridian,
Alaska**

Section 2 That portion
northerly and westerly of
the northern right-of-way
line of the Glenn Highway
and southerly of the
southern ordinary high
water mark of Moose Creek

Section 3 W $\frac{1}{2}$ and that
portion of the E $\frac{1}{2}$
northerly of the northern
right-of-way line of the

Glenn Highway and
southerly of the southern
ordinary high water mark
of Moose Creek

Section 4 All

Section 6 S $\frac{1}{2}$

Sections 7, 8, and
9 All

Section 10 That portion
northerly and westerly of
the northern right-of-way
line of the Glenn Highway

Section 11 U.S.
Government Lot 1, SE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 12 U.S.
Government Lot 1, that
portion of Alaska Ranchos
Unit No. 1 Subdivision
Plat Nos. 71-28 and 92-52
Palmer Recording Office
lying within U.S.
Government Lots 3 and 4,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$

Section 13 That portion
of SW $\frac{1}{4}$ southerly of a
line beginning at the N-
S1/64 corner common with
Sections 13 and 14, thence
South 70°39' East 2797.60
feet to a point on the
center quarter line
1056.00 feet northerly of
the S $\frac{1}{4}$ corner, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 14 S $\frac{1}{2}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, S $\frac{1}{2}$

N $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$
NW $\frac{1}{4}$

Section 15 S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$

Sections 16, 17, 18, 19,
20, 21, 22, and 23 All

Section 24 N $\frac{1}{2}$, NW $\frac{1}{4}$
SW $\frac{1}{4}$

Section 25 SW $\frac{1}{4}$, W $\frac{1}{2}$
SE $\frac{1}{4}$

Sections 26, 27, 28, 29,
30,
31, 32, 33, 34, 35, and
36 All

**Township 17 North, Range 1
East, Seward Meridian,
Alaska**

Section 1 NW $\frac{1}{4}$, E $\frac{1}{2}$

Section 2 N $\frac{1}{2}$

Section 3 NE $\frac{1}{4}$

Section 12 E $\frac{1}{2}$

Section 13 All

Section 23 N $\frac{1}{2}$

Section 24 N $\frac{1}{2}$

**Township 17 North, Range 2
East, Seward Meridian,
Alaska**

Section 3 That portion
lying westerly of the

thread of the Matanuska
River

Sections 4, 5, 6, 7, 8,
and 9 All

Section 10 That portion
lying westerly of the
thread of the Matanuska
River

Sections 15 and 16 That
portion lying northerly
and westerly of the thread
of the Matanuska River

Sections 17 and 18 All

Section 19 N $\frac{1}{2}$

Section 20 That portion
lying northwesterly of the
thread of the Matanuska
River

**Township 18 North, Range 3
East, Seward Meridian,
Alaska**

Section 5 NE $\frac{1}{4}$ SE $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$
SW $\frac{1}{4}$

Section 6 U.S.
Government Lots 9 and 10

Section 7 All excepting
U.S. Government Lots 18
through 26 also excepting
Wolf Lake

Section 8 U.S.
Government Lots 1 through

4, U.S. Government Lots 7
through 11

Excepting from all the
above area within the
corporate limits of the
city of Palmer.

Section 4. Amendment of section. MSB 5.25.140(A) is hereby
amended to read as follows:

Central Mat-Su Fire Service Area No. 130:

Township 18 North, Range 1
West, Seward Meridian,
Alaska

Section 23 S $\frac{1}{2}$ NW $\frac{1}{4}$,
S $\frac{1}{2}$

Section 24 SE $\frac{1}{4}$ SE $\frac{1}{4}$,
~~[S $\frac{1}{2}$]~~ SW $\frac{1}{4}$

Sections 25 and 26 All

Section 27 SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32 SE $\frac{1}{4}$

Section 33 S $\frac{1}{2}$

Section 34 NE $\frac{1}{4}$, S $\frac{1}{2}$

Sections 35 and 36 All

Township 18 North, Range 1
East, Seward Meridian,
Alaska

Section 19 All

Sections 21 and 22 All

Section 23 NW $\frac{1}{4}$, S $\frac{1}{2}$

Section 24 S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 25 W $\frac{1}{2}$

excepting: Lots 32 and 36,
Block 1, Snowgoose Pond
Addition No. 1

Subdivision, according to
Plat No. 2002-120,
recorded October 31, 2002,

in the Palmer Recording
District, Alaska.

Sections 26, 27, 28,
29, 30, 31, 32, and
33 All

Section 34 W $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$

Section 35 N $\frac{1}{2}$

Section 36 NW $\frac{1}{4}$

Township 17 North, Range 3
West, Seward Meridian,
Alaska

Section 24 and 25 All

Section 26 Lots 1, 2,
3, and 4, Block 1, Whale
Lake Subdivision,
according to Plat No. 78-
59, recorded May 9, 1978,
Palmer Recording District,
Alaska.

Section 36 All

Township 17 North, Range 2
West, Seward Meridian,
Alaska

Section 1 E $\frac{1}{2}$

Section 11 E $\frac{1}{2}$ TOGETHER
WITH THE FOLLOWING
PORTION: Easterly 225.52
feet of the North one-half
of the Northwest one-
quarter.

Sections 12, 13, and
14 All

Sections 19, 20, 21, 22,
23, 24, 25, 26, and
27 All

Sections 28, 29, 30, 31,
32, 33, 34, 35, and
36 All

Township 17 North, Range 1
West, Seward Meridian,
Alaska

Sections 1, 2, 3, 4, 5, 6,

7, 8, 9, 10, 11, and
12 All

Sections 13, 14, 15, 16,
17, 18, 19, 20, 21, and
22 All

Sections 23 and 24 All

Section 26 All

Section 27 N $\frac{1}{2}$

Sections 28, 29, and
30 All

Section 31 N $\frac{1}{2}$, NW $\frac{1}{4}$
SW $\frac{1}{4}$

Section 32 N $\frac{1}{2}$

Township 17 North, Range 1
East, Seward Meridian,
Alaska

Section 1 SW $\frac{1}{4}$

Section 2 S $\frac{1}{2}$

Section 3 NW $\frac{1}{4}$, S $\frac{1}{2}$

Sections 4, 5, 6, 7, 8, 9,
10, and 11 All

Section 12 W $\frac{1}{2}$

Sections 14, 15, 16,
17, 18, 19, 20, 21,
and 22 All

Township 16 North, Range 4
West, Seward Meridian,
Alaska

Section 29 All that
portion of Tract D-2
within Section 29,
according to Plat No. 68-
31, recorded December 31,
1968, in the Palmer
Recording District.

Section 32 All

Section 33 S $\frac{1}{2}$, W $\frac{1}{2}$
NW $\frac{1}{4}$

Sections 34, 35, and
36 All

Township 16 North, Range 3
West, Seward Meridian,
Alaska

Section 1 All
Sections 10, 11, 12, 13,
14, and 15 All
Section 21 SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sections 22 and 23 All
Sections 24, 25, and
26 Upland from mean
high water
Section 27 All
Section 28 N $\frac{1}{2}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$
Sections 30 and 31 All
Section 33 All
Section 34 All
Section 35 Upland from
mean high water
Township 16 North, Range 2
West, Seward Meridian,
Alaska
Section 1 NW $\frac{1}{4}$
Sections 2, 3, 4, 5, 6, 7,
8, and 9 All
Section 10 Upland from
mean high water
Section 11 U.S.
Government Lot 2
Sections 15, 16,
and 17 Upland from mean
high water
Section 18 All
Section 19 Upland from
mean high water
Township 15 North, Range 4
West, Seward Meridian,
Alaska
Section 1 All
Section 3 All
Section 4 U.S.
Government Lots 1, 2 and 3
Section 12 All

Township 15 North, Range 3
West, Seward Meridian,
Alaska

Sections 2 and 3 Upland
from mean high water

Section 4, 5, and 6 All
Section 9 Upland from
mean high water

Section 10 Upland from
mean high water

Including the area within
the corporate limits of
the city of Wasilla.

Section 5. Effective date. This ordinance shall take effect
upon adoption.

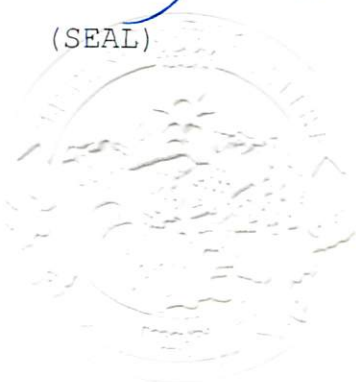
ADOPTED by the Matanuska-Susitna Borough Assembly this 16 day
of February, 2021.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, Nowers, McKee, Yundt, Tew, Sumner, and
Boeve