

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on April 11, 2006, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson for the purpose of holding a joint Assembly/Planning Commission meeting.

II. ROLL CALL

Assembly members present and establishing a quorum were:

- Mr. Bill Allen, Assembly District No. 2
- Mr. Talis J. Colberg, Assembly District No. 3
- Ms. Mary Kvalheim, Assembly District No. 4
- Ms. Cindy Bettine, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)
- Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

- Ms. Lynne Woods, Assembly District No. 1

Planning Commission members present and establishing a quorum were:

- Ms. Bridgette Lively, District No. 1
- Ms. Dianne Woodruff, District No. 4
- Mr. Curtis Menard, District No. 6
- Ms. Thomas Kluberton, District No. 7

Planning commission members absent and excused were:

- Ms. Helga Larson, District No. 2
- Mr. Mark Masteller, District No. 3 (*Chair*)
- Mr. David Webster, District No. 5

Staff in attendance were:

- Ms. Michelle M. McGehee, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager
- Ms. John Aschenbrenner, Acting Borough Attorney
- Ms. Lonnie R. McKechnie, Executive Assistant to the Borough Clerk
- Mr. Murph O'Brien, Planning and Land Use Director
- Mr. Sev Jones, Planning Division Chief

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Murph O'Brien, Planning and Land Use Director

V. AUDIENCE PARTICIPATION

(There was no one present who wished to testify.)

VI. ITEMS OF BUSINESS

A. Long Range Transportation Plan Update *(Requested by: Planning Administration)*

Mr. Tom Brigham (Senior Transportation Planner, HDR Alaska, Inc):

- spoke regarding the public meetings that were held on the transportation plan;
- advised that they used some of the figures from the core area comprehensive plan;
- advised that the final transportation plan will be ready by the middle of May;
- spoke regarding the items that need to be worked on to finalize the draft plan;
- stated that there will not be great differences in the recommendations to the roadway network between the draft plan and final plan
- spoke regarding the traffic model results; and
- advised that many of the base-level improvements on the roads are large budget projects.

Assemblymember Allen queried the upgrades to the Palmer/Wasilla Highway.

Mr. O'Brien:

- spoke regarding the cost of purchasing rights-of-way;
- commented that the Borough needs to convince the State Legislature and the Alaska State Department of Transportation to focus the funds where the needs are;
- spoke regarding the priority projects; and
- opined that the Palmer/Wasilla Highway will eventually become a 4-lane highway.

Mr. Brigham:

- spoke regarding the need to preserve rights-of-way for future collector uses;
- stated that it is important to prioritize the projects based on traffic safety and improvements;
- opined that the new large developments are going to need to do Traffic Impact Analysis; and
- spoke regarding the Official Streets and Highways Plan.

Mr. Duffy noted that Traffic Impact Analysis for large developments is required in the core area.

Assemblymember Allen queried how far in advanced federal funds can be obligated to rights-of ways.

Mr. O'Brien:

- stated that it is easier to do with State funds; and
- spoke regarding the process for Federal Highway funds.

Discussion ensued regarding:

- the purchasing of rights-of-ways; and
- the use of State and Federal funds.

Mr. Brigham:

- spoke regarding the Official Streets and Highway Plan map; and
- advised that the denser the population the more collectors are needed.

(The special meeting recessed at 6:40 p.m. and reconvened at 6:47 p.m.)

B. Multi-family and Land Use Permit Ordinance Update *(Requested by: Planning Administration)*

Mr. Jones:

- advised that the intent of the multi-family ordinance is to improve the quality of developments in the Borough;
- spoke regarding the design standards for multi-family developments;
- stated that the landscaping will buffer the impacts of the high density developments;
- advised that it will be required that there be a minimum of 300 square feet of common open space per dwelling unit; and
- spoke regarding incentive points for the developers.

Assemblymember Kvalheim queried whether fire prevention was included in the ordinance.

Mr. O'Brien stated that there is an incentive under general design standards regarding fire prevention.

Assemblymember Kvalheim opined that fire prevention should be a requirement in the ordinance.

Assemblymember Bettine queried whether having 4 to 5 cabins on a lot would be covered under the multi-family ordinance.

Mr. Jones advised that the definition for multi-family does include 3 to 4 dwelling units on one lot.

Assemblymember Colver spoke regarding concerns that multi-family developments will have on the water table.

Mr. O'Brien:

- noted that the multi-family residential ordinance is the first step;
- spoke regarding zoning requirements and the water and sewer plan; and
- stated that eventually it may be a requirement that multi-family developments be tied into water and sewer systems.

Discussion ensued regarding multi-family developments.

Mr. Jones:

- spoke regarding the existing voluntary review for land use permits;
- stated that due to the low participation rate in the voluntary review process, there is a lack of accuracy in the site plans; and in turn, building is occurring that is in violation of Borough code;
- spoke regarding the population projections and development trends in the Borough;
- spoke regarding the need to improve the level of compliance and establish a mandatory review process;
- advised that an AdHoc committee worked on the draft land use permit, which will be out for public review in the next couple of days; and
- spoke regarding the uses that would require a land use permit.

Assemblymember Vehrs:

- queried the permit requirements for 75-foot setbacks from waterbodies; and
- queried the grandfather rights of the structures that are already within 75 feet of a waterbody setback.

Mr. Jones:

- advised that the permit would be for someone that is proposing construction within the 75 foot setback from a waterbody; and
- stated that there will be some grandfathering provisions in the ordinance for existing uses.

Mr. Duffy advised that the ordinance does not change any non-conforming uses.

Discussion ensued regarding pre-existing and non-conforming uses.

Mr. O'Brien:

- spoke regarding the proposed fee schedule; and
- opined that the fees need to be relatively reasonable.

Assemblymember Bettine queried if the fees are related to the actual staff time spent.

Mr. O'Brien

- advised that they want to have the fees be reasonable to get people to come in; and
- stated that this it will not be a cost recovery fee schedule.

Mr. Jones:

- stated that the AdHoc Committee spoke to builders and developers regarding the fee schedule; and
- stated that the fees are an average based on time.

Planning Commissioner Woodruff:

- spoke regarding residential and commercial platting actions; and
- noted that the permit will save in staff time, as not as many variances would need to be applied for.

Mr. O'Brien:

- advised that by making the permit mandatory, it will resolve the issues of vacations and variances; and
- stated that this is the first step in the right direction; however, it cannot be the cure-all for all of the issues.

Mr. Jones advised that the Planning Commission will have the ordinance by June 5, 2006.

C. Core Area Plan Update *(Requested by: Mayor Anderson)*

Mr. O'Brien advised that there is a public workshop scheduled regarding the Core Area Plan on April 19, 2006, at Pioneer Peak Elementary School.

Mr. Jones:

- spoke regarding the history of the core area plan;
- advised that the public participation on the project has been extensive;
- noted that the last public open house was held in December;
- stated that the core area plan has the standard components that are found in most comprehensive plans; and
- advised that the land use policy map is in the process of being developed.

Mr. O'Brien and Mr. Jones spoke to the zones and the districts on the land use policy map.

Mr. Jones:

- stated that the intent of the land use policy map is to look at the patterns of growth and types of land uses; and
- noted that lot size will be different in the low density versus the high density areas.

Mr. O'Brien:

- stated that the land use policy map provides a policy guidance;
- spoke regarding the lot sizes in the different areas; and
- spoke regarding the city of Palmer and the city of Wasilla extending their water and sewer services.

Discussion ensued regarding the land use policy map.

(The joint meeting recessed at 7:35 p.m. and reconvened 7:50 p.m.)

D. Erosion Ordinance Update *(Requested by: Planning Administration)*

Mr. Swanson:

- provided an update regarding the Terrace Erosion Area Acquisition Project;
- advised that the acquisition process is detailed in the Environmental Assessment;
- spoke regarding the ordinances that are going forward for introduction at the next Assembly meeting;
- noted that this is a voluntary program; and
- stated that all of the applicants will go through a rating process so the most critical ones will go through first.

Mr. O'Brien:

- stated that the erosion zone ordinance establishes an erosion zone on both sides to the Matanuska River along with the Knik River;
- noted that something needs to be established to try to control the new activity that is happening along the rivers;
- advised that the public review will begin at the end of this week;
- advised that the \$355,000 grant program is moving ahead with the Natural Resources Conservation Service; and
- advised that they are also putting together an acknowledgement of erosion hazards ordinance.

Mr. Duffy:

- advised that these processes are used in other areas across the nation; and
- noted that if you acknowledge that you are building in an erosion zone, then you will not qualify for relocation.

Assemblymember Colver queried the 1000-foot recommendation.

Mr. O'Brien stated that the 1000-foot recommendation is just a starting point to get the discussions going.

E. Title 16 Update *(Requested by: Mayor Anderson)*

Mr. O'Brien:

- advised that the Platting Board approved the Title 16 draft and it is now in front of the Planning Commission;
- provided a previous Title 16 rewrite history;
- advised that a lot of the standards that were in effect prior to 1988 are being put back into Title 16;
- provided an update of the Citizens Advisory Committee for the Title 16 Rewrite;
- advised that the Platting Board had many work sessions regarding the Title 16 Rewrite before

- completing their work in January 2006;
- stated that the public has had the opportunity to participate in 24 advertised public meetings;
- advised that the Platting Board recommended that water quality be addressed in Title 17; and
- spoke regarding the Planning Commission's meeting schedule regarding the Title 16 rewrite.

Assemblymember Colver

- encouraged the Planning Commission to get through their process, due to the fact that there are neighborhoods that could use the new provisions in Title 16; and
- queried the discussions regarding water quality and quantity.

Mr. O'Brien:

- advised that they have been asked to look into the issue of water quality and quantity; and
- spoke regarding the comments that have been received on water quality and quantity issues from the public and the Planning Commission.

F. Procedures for Set-Back Violations (*Requested by: Planning Administration*)

(Assemblymember Allen exited the meeting at 8:01 p.m.)

Mr. O'Brien:

- noted that it was requested that the Planning and Land Use Department look into the vacations of rights-of-way;
- spoke regarding the proposed flat fee requirement;
- advised that they are looking at the State process that requires an appraisal; and
- advised that he recommends the flat fee proposal or a percentage of the assessed value to determine what the fee will be.

Assemblymember Colver queried the flat fee proposal.

Mr. O'Brien stated that if the vacation was granted, a fee would be paid; however, it may be more appropriate to base the flat fee on a percentage.

Assemblymember Colver queried if encroachment permits could be used for setback violations or a variance that is extinguishable at the end of the useful life of the structure in violation of the setback.

Mr. Aschenbrenner:

- advised that if someone causes the violation, they are not entitled to receive a variance;
- opined that the needs would not be met by an encroachment permit;
- spoke regarding lending institutions; and
- spoke regarding Alaska Statute.

Mr. O'Brien advised that it would be a more straight forward process with the establishment of a flat fee or a percentage.

Assemblymember Colver:

- stated that he is against giving up rights-of-way because someone has built too close to the setback;
- spoke regarding the Municipality of Anchorage allowing a small amount of encroachment;
- suggested reviewing the Borough's setback rules to allow for more flexibility; and
- spoke to the need of implementing a program and not carving out chunks of the rights-of-way.

Discussion ensued regarding set-back violations.

VII. OTHER NEW BUSINESS

A. Borough/State/Federal Legislative Issues

(There were no comments provided.)

VIII. PLANNING COMMISSION, MAYOR, ASSEMBLY, AND STAFF COMMENTS

Ms. McGehee:

- advised that the School District has requested a joint meeting with the Assembly on May 10, 2006, to discuss the budget; and
- commented that the Assembly already has a work session scheduled for April 25, 2006, for the School District to present their budget.

Mayor Anderson:

- noted that the School Board could speak to the Assembly at the work session that is already scheduled; and
- queried if there was any objection to inviting the School Board to attend and speak at the work session scheduled for April 25, 2006.

There was no objection noted.

Commissioner Lively provided an update regarding House Bill 307, Knik River Public Use Area.

Commissioner Kluberton:

- noted that most of the issues regarding Title 16 have surfaced during the public hearing; and
- stated that the Planning Commission is working on items that they rarely work on and doing the best that they can.

Assemblymember Vehrs:

- advised that at a Wasilla Soil and Water meeting she attended, they discussed the Homer District developing a tree orphanage;
- advised that the Homer District takes some of the trees prior to the developer clearing the land; and
- noted that the Homer District will take care of the trees and then replant them back into the area.

Mayor Anderson:

- spoke regarding the Legislature trying to settle the capital projects list for discretionary funds;

- spoke regarding the criteria for the capital projects list;
- advised that he spoke to the Mat-Su Delegation regarding the capital projects;
- spoke regarding the priority ranking of the projects; and
- spoke regarding Senator Lisa Murkowski requesting that the State and local governments get involved in the methamphetamine education program.

IX. ADJOURNMENT

The special meeting adjourned at 8:35 p.m.

/S/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/S/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 05/16/06