

PENDING

CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 07-180**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY
AMENDING MSB 17.73- MULTI-FAMILY DEVELOPMENT DESIGN STANDARDS.

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 subsection. MSB 17.73.030 (A), Application of Provisions, is hereby amended to read as follows:

(A) This ordinance applies to all multi-family developments which meet or exceed the density threshold of this ordinance, **regardless of the form of ownership.**

Section 3. Amendment of paragraph. MSB 17.73.030 (A) (2), Application of Provisions, is hereby amended to read as follows:

(2) All structural additions of three hundred square feet and greater to an existing multi-family development.], REGARDLESS OF THE FORM OF OWNERSHIP.]

Section 4. Amendment of paragraph. MSB 17.73.040 (A) (1), Density, is hereby amended to read as follows:

(1) Residential development constructed at a density equal to or greater than [FIVE] **four** units per 40,000 square feet of lot area.

Section 5. Amendment of subparagraph. MSB 17.73.040

(A) (1) (a) (i), Density, is hereby amended to read as follows:

(i) [0.000125] **.0001** multiplied by lot area;

Section 6. Amendment of subparagraph. MSB 17.73.050

(B) (2) (e), Approval Required, is hereby amended to read as follows:

(e) **Approval of** non-structural fire and life safety plan **review** as described in MSB 17.73.100, **or notice of "Not Required" from the appropriate jurisdictional fire official.**

Section 7. Amendment of subsection. MSB 17.73.070 (B), Planning Commission Review and Direction, is hereby amended to read as follows:

(B) **The Borough will not issue a variance for any issue within the jurisdiction of a fire official without first obtaining written approval from the fire official. Fire official approval is not a guarantee that the variances will be granted, but is a requirement for consideration.** [THE BOROUGH WILL CONSULT WITH THE DEPARTMENT OF EMERGENCY SERVICES FOR ALL FIRE AND LIFE SAFETY VARIANCE REQUESTS.]

Section 8. Amendment of subparagraph. MSB 17.73.100
(A)(1), Non-structural Fire and Life Safety Plan Review, is
hereby amended to read as follows:

(1) shall comply with current Alaska State
Fire Code.

(a) 13 AAC 50.020, Building Code ;

(b) 13 AAC 50.023, Mechanical Code;

**(c) 13 AAC 50.024, International Fuel and
Gas Code; and**

(d) 13 AAC 50.025, Fire Code.

Section 9. Amendment of subparagraph. MSB 17.73.100
(A)(3), Non-structural Fire and Life Safety Plan Review, is
hereby amended to read as follows:

[(3) SHALL MEET THE FIRE AND LIFE SAFETY
REGULATIONS AS ADOPTED BY THE STATE OF ALASKA AND
THE BOROUGH.]

Section 10. Amendment of subparagraph. MSB 17.73.100
(F)(2), Non-structural Fire and Life Safety Plan Review, is
hereby amended to read as follows:

(2) Automatic sprinkler systems shall be
installed in all buildings, as mandated by **13 AAC
50.020, Building Code** [STATE CODE.].

Section 11. Amendment of subparagraph. MSB 17.73.130
(A)(7), General Design Standards, is hereby amended to read as
follows:

(7) provide for the safe access for emergency vehicles and safe ingress/egress of occupants in accordance with the applicable codes and standards as adopted by the borough;

Section 12. Amendment of paragraphs. MSB 17.73.140 (D)

(2)&(3), Height, is hereby amended to read as follows:

(D) The director or designee may approve the height exception as long as the following criteria [IS] are met:

(2) the structural extension above 45 feet will not adversely impact the available views and access to sunlight of adjacent and surrounding properties; and

(3) Has been approved by the Fire Official or the State Fire Marshal, whoever is the authority having jurisdiction.

Section 13. Adoption of section. Article V, Section MSB 17.73.250, Definitions, is hereby adopted to read as follows:

ARTICLE V definitions

17.73.250 Definitions

(A) For purposes of this chapter the following definition shall apply. All other definitions are listed in MSB 17.125, Definitions.

▪ "Development" means the construction, reconstruction, conversion, structural alteration, relocation, placement, or enlargement of any building; excavation, placement of fill, or land disturbance; or any use or extension of the use of land.

▪ "Grade Plane" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

▪ "Height, Building" means the vertical distance from grade plane to the average height of the highest roof surface.

▪ "Lot" means the least fractional part of subdivided lands having limited fixed boundaries and having an assigned number, or other name through which it may be identified. Lots are not been created through the borough subdivision process.

▪ "Parcel" means a fractional part of land described by metes and bounds or aliquot parts that are five acres in size or larger and identified in waivers or 40-acre exemptions by document. Parcels are created through the borough subdivision process.

Section 14. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2007.

CURTIS D. MENARD, Borough Mayor

ATTEST:

MICHELLE M. MCGEHEE, CMC, Borough Clerk

(SEAL)