

By: Taunnie Boothby
Introduced: November 6, 2017
Public Hearing: December 4, 2017
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 17-55

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF ORDINANCE SERIAL NO. 17-142 ESTABLISHING A NONCONFORMING USE SECTION WITHIN MSB 17.29 AND MODIFYING MSB 17.80 BY ELIMINATING REFERENCE TO NONCONFORMING USES IN FLOOD HAZARD AREAS.

WHEREAS, the Matanuska-Susitna is a participating community in the National Flood Insurance Program (NFIP); and

WHEREAS, an overall goal of the NFIP is to promote the public health, safety, and welfare by adopting methods of development for the Special Flood Hazard Areas; and

WHEREAS, the Matanuska-Susitna Borough adopted the first Flood Insurance Rate Map (FIRM) effective May 1, 1985; and

WHEREAS, FEMA updated portions of the FIRMs effective March 17, 2011; and

WHEREAS, the MSB recently adopted a two-foot freeboard standard for all new, substantially damaged, and substantially improved structures; and

WHEREAS, modifications to the maps and standards create structures which were built legally at the time of construction but which were made nonconforming by adoption of subsequent ordinances or maps; and

WHEREAS, 44 Code of Federal Regulations 60.3 recognizes structures built prior to the effective FIRM as pre-FIRM unless substantially Damaged or substantially improved; and

WHEREAS, MSB 17.29 does not have a Preexisting legal nonconforming status; and

WHEREAS, MSB 17.80 currently does not allow structures built in the Special Flood Hazard Area (SFHA) to have Preexisting legal nonconforming status exemption.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of an ordinance establishing a nonconforming use section within MSB 17.29 and modifying MSB 17.80 by eliminating reference to nonconforming uses in flood hazard areas.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of December, 2017.


COLLEEN VAGUE, Chair

ATTEST


MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Vague, Healy, Chesbro, Elder, Alashen, and*
NO: *Rauchert*