



# MATANUSKA-SUSITNA BOROUGH

## Community Development Department

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### MEMORANDUM

**DATE:** June 9, 2020  
**TO:** Matanuska-Susitna Borough Port Commission  
**THRU:** Eric Phillips, Community Development Manager  
**FROM:** Emerson Krueger, Land Management Specialist  
**FOR:** Legislation fixing permitting requirements, Agenda of May 18, 2020

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#### REQUEST:

The Community Development Department seeks review and support from the MSB Port Commission on the legislation eliminating duplicative permit requirements on B.

SUMMARY: The intent of this legislation is to streamline permitting requirements for development on borough-owned land.

#### DISCUSSION:

The Land and Resource Management Division adjudicates permits under MSB 23 for the use and development of borough-owned land.

Two instances of MSB organizational overlap have been evaluated by staff to determine how to streamline the permitting process for:

1. MSB 11.10, Encroachment Permits, includes a permit requirement for any encroachments built on Borough-owned land. This is in addition to the permit requirement under MSB 23.05. Staff determined that encroachments on Borough-owned land can be adequately addressed in the permitting process required under MSB 23.05.
2. MSB 17.23.150, Port Development Permit, includes a requirement for a port development permit for any use or development of land within the Port District. This is a duplicative permit requirement when development in the Port District also requires a permit under MSB 23.05.

Exempting development and use of land in the Port District already permitted under MSB 23.05 will streamline the port development permitting process. This exemption will not apply to use or development on leaseholds, right-of-way, or land owned by another owner. The permit exemption will only apply to use or development of Borough-owned land permitted under MSB 23.05.

The Land and Resources Management Division Policy and Procedure Manual, Part 50: Permits, will be updated to include an application review requirement for a permit issued under MSB 23.05 within the Port District, to follow the same review process as a Port Development Permit issued under MSB 17.23.150.

Approval of the proposed amendments and update will better serve the public through streamlining the permitting requirements for use and development on Borough-owned land.

**RECOMMENDATION:**

Community Development respectfully recommends that the Port Commission adopt a resolution of support recommending Assembly adoption of the legislation to amend Titles 11 and 17, and the Land and Resource Management Division Policy and Procedures Manual, Part 50: Permits.

**Attachments:**

Land and Resources Management Division Policy and Procedures Manual, Part 50: Permits (12p)

Resolution Serial No. 20-034 (2 p)

Ordinance Serial No. 20-035 (4 p)

Port Commission Resolution Serial No. 20-00 (2p)

**MATANUSKA-SUSITNA BOROUGH  
PORT COMMISSION RESOLUTION NO. 20-00**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PORT COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF THE AMENDMENTS TO MSB 11 AND 17 TO STREAMLINE PERMITTING REQUIREMENTS ON BOROUGH LAND.

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WHEREAS, the Community Development Land and Resource Management Division was created to manage the use and development of Borough-owned land; and

WHEREAS, the Planning and Land Use Development Services Division has been issuing encroachment permits for development on Borough-owned land in accordance with the definition of "encroachment" in MSB 11.10.010(A); and

WHEREAS, through amendment of MSB 11.10.010 (A), limiting the number of departments responsible for permitting development and use of Borough land will simplify the permitting process, streamline government, and improve oversight; and

WHEREAS, there is a duplication of permit requirements within the special use Port district wherein both a Port Development Permit and a Temporary Land Use Permit are required under MSB 17.23.150(A) and MSB 23.10.100 respectively; and

WHEREAS, exempting the use and development of Borough-owned land from the Port Development Permit requirement will simplify

the permitting process, streamline government, and reduce the cost of development in the Port District; and

WHEREAS, the application process for a Temporary Land Use Permit for Borough-owned land will be updated to include the Port Development Permit review requirements when an application is submitted for use or development of Borough- owned land within the Port District.

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Port Commission hereby recommends Assembly adoption of the ordinance amending MSB 11 and 17 to remove the duplicative permitting requirements.

ADOPTED by the Matanuska-Susitna Port Commission this \_\_\_ day of \_\_\_\_\_, 2020.

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Tim Anderson, Chair

ATTEST:

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Therese Dolan, Port Manager