

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.48 MOBILE HOME PARK ORDINANCE IN ITS ENTIRETY.

**AGENDA OF:** May 7, 2024

**ASSEMBLY ACTION:**

**AGENDA ACTION REQUESTED:** Refer to Planning Commission for 90 days.

Route To	Signatures
Originator	<div style="text-align: right;">4 / 17 / 2024</div> <hr/> X      A l e x   S t r a w n <hr/> <small>Signed by: Alex</small>
Department Director	<div style="text-align: right;">4 / 17 / 2024</div> <hr/> X      A l e x   S t r a w n <hr/> <small>Signed by: Alex</small>
Finance Director	<div style="text-align: right;">4 / 22 / 2024</div> <hr/> X      C h e y e n n e   H e i n d e l <hr/> <small>Signed by: Cheyenne Heindel</small>
Borough Attorney	<div style="text-align: right;">4 / 22 / 2024</div> <hr/> X      N i c h o l a s   S p i r o p o u l o s <hr/> <small>Signed by: Nicholas Spiropoulos</small>
Borough Manager	<div style="text-align: right;">4 / 22 / 2024</div> <hr/> X      M i c h a e l   B r o w n <hr/> <small>Signed by: Michael Brown</small>
Borough Clerk	<div style="text-align: right;">4 / 25 / 2024</div> <hr/> X      L o n n i e   M c K e c h n i e <hr/> <small>Signed by: Lonnie McKechnie</small>

**ATTACHMENT (S):** Ordinance Serial No. 24-053 (1 p.)  
 MSB Code 17.48 (6 pp)  
 Planning Commission Reso. 24-13 (2 pp)

**SUMMARY STATEMENT:** This ordinance is at the request of Assembly Member Yundt. The intent of this ordinance is to promote affordable housing options for low- and middle-income individuals and families. Repealing regulations could potentially increase the availability of this type of housing, making it more accessible to those in need of affordable housing. The burdensome nature of the existing regulations has hindered the expansion of affordable housing options and constrained the growth of mobile home park communities.

**RECOMMENDATION OF ADMINISTRATION:** Staff respectfully recommends approval of this ordinance.

**CHAPTER 17.48: MOBILE HOME PARK ORDINANCE**

Section

Article I. Eligibility

[17.48.010 Applicability](#)

[17.48.020 Development prohibition](#)

[17.48.030 Proof of financial ability to complete the project](#)

[17.48.040 Standards](#)

Article II. Procedures for Mobile Home Park Plan Approval

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[17.48.060 Planning commission review](#)

[17.48.080 Technical review agencies](#)

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**ARTICLE I. ELIGIBILITY**

**17.48.010 APPLICABILITY.**

A mobile home park may be established in any area of the MSB except where prohibited by zoning ordinances, provided that the mobile home park meets the requirements of this chapter and is approved at a public hearing by the planning commission, except that mobile home parks within the corporate limits of the cities of Houston, Palmer and Wasilla are subject only to regulations in existence for those cities.

(Ord. 83-63, § 2 (part), 1983)

#### **17.48.020 DEVELOPMENT PROHIBITION.**

No person shall proceed with any construction work on the proposed property, including clearing, grading or excavation relating to improvements, until planning commission approval of the mobile home park plan has been obtained.

(Ord. 83-63, § 2 (part), 1983)

#### **17.48.030 PROOF OF FINANCIAL ABILITY TO COMPLETE THE PROJECT.**

Arrangement of guaranteed financing and construction of public recreational facilities and other amenities proposed within the mobile home park shall be required for approval of the mobile home park by the planning commission and prior to beginning of construction.

(Ord. 83-63, § 2 (part), 1983)

#### **17.48.040 STANDARDS.**

- (A) A mobile home park shall have an area of not less than two acres nor more than ten acres. No mobile home, parking, office or service building shall be closer than 30 feet to a public use area or other property line.
- (B) Individual mobile home sites shall have an area of not less than 6,000 square feet per single-wide mobile home and 6,500 square feet per double-wide mobile home, and the total number of mobile homes per gross acre will not exceed five.
- (C) A minimum of a ten-foot-wide buffer, to a maximum of a 25-foot-wide buffer shall be provided along the property boundaries. Mobile home placement shall be set back ten feet from the internal edge of the buffer. The intent of the buffer is to provide a vegetated visual transition area between the mobile home park and adjacent properties.
- (D) A minimum separation of 30 feet between mobile homes, including any attached entrance, lean-to, or other extension from mobile homes shall be maintained between mobile homes.
- (E) A minimum of two parking spaces per mobile home will be provided.
- (F) A fenced area for the storage of boats and other recreational vehicles may be required by the planning commission in mobile home parks with three or more spaces per acre.
- (G) Sufficient open space is required for a common area for residents, such as playground areas for resident children.
- (H) The location of the mobile home park shall be compatible with the surrounding land uses and density of

**existing development.** Public facilities necessary to serve the mobile home park, including roads, utilities, water, waste disposal, recreation, schools and fire protection, shall be shown to be provided or available. No mobile home park shall be located where the combined acreage of all mobile home parks within a one-mile radius exceeds ten acres.

(Ord. 90-051, § 2 (part), 1990; Ord. 83-63, § 2 (part), 1983)

## **ARTICLE II. PROCEDURES FOR MOBILE HOME PARK PLAN APPROVAL**

### **17.48.050 APPLICATION REQUIREMENTS.**

(A) Prior to submitting a formal application to the planning commission, the applicant shall confer with the borough planning department on the review process for the application. An appropriate filing fee as established by the assembly shall accompany the formal application.

(B) An application for approval of a mobile home park shall be submitted to the planning department and shall include a site plan containing the following information:

- (1) location and size of all mobile home spaces;
- (2) landscaping and buffering areas;
- (3) utility layouts, including sewer and water;
- (4) parking for cars and recreational vehicles;
- (5) locations and development and open space;
- (6) vehicular circulation and traffic patterns;
- (7) name of the mobile home park and the name and address of the developer;
- (8) existing topography and soils information;
- (9) scale, north arrow, date and general location map.

(C) The application shall include a legal description of the property identifying property dimensions and total area, and an affidavit stating that the applicant holds controlling interest in the property and describing the ownership interest of the applicant and all other persons having an interest in the property.

(D) The review process will include a review of the site plan, other application material required in MSB [17.48.020](#) and the following information:

- (1) the character, design and attractiveness of the proposed mobile home park and its adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable, and to preserve the natural amenities of streams and wooded areas;
- (2) the adequacy of open space and recreational areas, existing and proposed, to meet the needs of the development;
- (3) traffic circulation into and through the mobile home park.

(E) The planning director shall review the application for completeness and accept or reject within ten days of receipt.

(Ord. 90-051, § 2 (part), 1990; Ord. 86-47, § 13, 1986; Ord. 83-79, § 2, 1983; Ord. 83-63, § 2 (part), 1983)

#### **17.48.060 PLANNING COMMISSION REVIEW.**

Within 30 days after the mobile home park application has been approved by the planning director, the director shall schedule a public hearing before the planning commission. Any conditions attached to the mobile home park plan, staff recommendations and technical agency review comments will be presented to the planning commission.

(Ord 83-63, § 2 (part), 1983)

#### **17.48.080 TECHNICAL REVIEW AGENCIES.**

After the mobile home park plan has received pre-application approval by the planning director, the applicant or the applicant's representative shall be informed which agencies shall receive copies of the plan. The planning department shall submit the plan to the agencies to which planned unit developments are referred under MSB 17.36.

(Ord. 83-63, § 2 (part), 1983)

#### **17.48.090 ACTION OF THE PLANNING COMMISSION.**

The planning commission shall review the mobile home park plan and approve the application, give conditional approval, or deny the application. The planning commission shall render its decision and findings in writing; and if its decision is to deny the application, it shall indicate what the applicant might do to make the application acceptable. If given conditional approval, the applicant shall submit final plans meeting the conditions of the planning commission to the planning department within 30 days of such approval.

(Ord. 83-63, § 2 (part), 1983)

#### **17.48.100 APPEAL PROCESS.**

A decision of the planning commission is final unless an appeal is filed within 15 borough business days after the commission's action. Appeals shall be conducted under the provisions of MSB 15.39 as a conditional use.

(Ord. 97-026, § 2, 1997; IM 96-013, page 1 (part), presented 3-19-96; Ord. 83-63, § 2 (part), 1983)

### ARTICLE III. GENERAL PROVISIONS

#### 17.48.110 DEFINITIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) "Buffer" means a means of protection against negative impacts which provides a physical separation or barrier.
- (2) "Mobile home" means a detached single-family dwelling designed for long-term human habitation and having complete living facilities; capable of being transported to a location of use on its own chassis and wheels; identified by a model number and serial number by its manufacturer, and designed primarily for placement on a nonpermanent foundation. Travel trailers are not considered as mobile homes.
- (3) "Mobile home parks" means any parcel, tract or lot or portion thereof where space for two or more mobile homes or travel trailers is leased, rented or held for rent for occupancy, but not including automobile or trailer sales lots on which unoccupied mobile homes are parked for inspection and sale or camper parks in which travel trailers are permitted for temporary occupancy of less than 30 days.
- (4) "Travel trailers" means a motor vehicle or portable vehicular structure capable of being towed on the highways by a motor vehicle designed or intended for casual or short-term human occupancy for travel, recreational or vacation uses, identified by a model number, serial number or vehicle registration number, equipped with limited water storage and other self-contained living facilities.

(Ord. 90-051, § 2 (part), 1990; Ord. 83-63, § 2 (part), 1983)

#### 17.48.130 NONCONFORMING MOBILE HOME PARKS.

(A) Within the borough there may exist mobile home parks as of the date of adoption of the ordinance codified in this chapter, or amendments thereto which were lawful before the effective date of applicable regulations, but which would otherwise be prohibited, regulated or restricted under this chapter. Such existing nonconforming parks are permitted to continue subject to the provisions of this section, but shall not be expanded except in accordance with this chapter.

(B) Nothing in this chapter shall require the relocation or removal of mobile home parks existing or under construction at the time of adoption of the ordinance codified in this chapter if such use was lawful at the time of its construction. No mobile home park shall be constructed or operated except in accordance with these regulations, except to the extent it was in existence or under actual construction as of the effective date of the ordinance codified in this chapter or amendment thereto. "Actual construction" is defined as the substantial

placement of construction materials and performance of labor for construction of facilities which cannot reasonably be used except in a manner which does not conform with these regulations.

(C) Mobile home parks under construction or in existence as of the date of the ordinance codified in this chapter shall apply for, and may obtain approval of, the mobile home park within 120 days of the effective date of the ordinance codified in this chapter. The planning director shall grant approval of the mobile home park if it complies with the requirements of this chapter, excepting only those facilities and improvements which were under construction or in existence prior to the effective date of the respective regulation. The mobile home park shall meet all other requirements of this chapter which are not in conflict with the pre-existing use or construction.

(D) No existing mobile home park shall be expanded in area or in number of dwelling units permitted unless the area of expansion meets the requirements of this chapter. No area of a mobile home park which is abandoned shall be used as a mobile home park unless it meets the requirements of this chapter. "Abandonment" is defined as a discontinuation of use of a mobile home park or a discrete portion or parcel thereof, or the failure to complete construction and begin use, for a continuous period of more than one year. If abandoned, the land shall not thereafter be used except in conformity with the requirements of this chapter.

(Ord. 83-78, § 3, 1983)

#### **17.48.140 VIOLATIONS AND ENFORCEMENT.**

Violations and enforcement of this chapter shall be consistent with the terms and provisions of MSB 17.56.

(Ord. 90-051, § 2 (part), 1990; Ord. 83-78, § 4, 1983)

#### **17.48.150 APPEAL PROCEDURE.**

Appeals from a decision of the planning director of a zoning enforcement action shall be filed and conducted in accordance with MSB 15.39.

(IM 96-013, page 1 (part), presented 3-19-96; Ord. 84-78, § 5, 1983)



By: A. Strawn  
Introduced: June 3, 2024  
Public Hearing: June 17, 2024  
Action: APPROVED

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 24-13**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING FAILURE OF AN ORDINANCE REPEALING MSB 17.48 MOBILE HOME PARK ORDINANCE IN ITS ENTIRETY.

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WHEREAS, the commission opposes the loss of public notice and ability for public hearing in front of the Planning Commission that is included with the mobile home park ordinance; and

WHEREAS, mobile home parks present unique risk to public safety based on the risk factors associated with fire entrapments and higher crime rates.

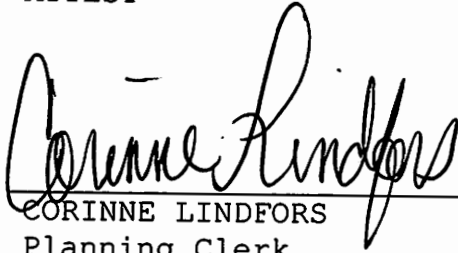
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends failure of Assembly Ordinance 24-053.

BE IT FURTHER RESOLVED, that the commission recommends the Assembly direct staff to produce an ordinance that combines and streamlines MSB 17.73 and MSB 17.48, making mobile home parks a chapter within MSB 17.73 that requires a public hearing before the Planning Commission.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 17 day of June 2024.

C J KOAN, CHAIR

ATTEST

  
CORINNE LINDFORS  
Planning Clerk

(SEAL)

YES: ALLEN, KOAN, McCABE, GLENN, SHAW

NO:  $\emptyset$