
 <p><b>PLANNING &amp; LAND USE DEPARTMENT</b> MATANUSKA-SUSITNA BOROUGH</p>	<b>POLICY NUMBER:</b> 023-01	<b>EFFECTIVE DATE:</b> April 19, 2022
	<b>SUBJECT:</b> Lake Management Plan - Defining the process	 <b>Alex Strawn, Planning &amp; Land Use Director</b>

**I. PURPOSE**

To clarify the final steps of the lake management plan process for the Beverly Lake Community and to guide changes to MSB Code, Title 15.24.031 *Initiating and Amending Lake Management Plans*.

**II. POLICY STATEMENT**

In accordance with MSB 15.24.031, the Planning and Land Use Department has the authority to develop a lake management plan (LMP) once a community submits a valid petition to the department and shows a majority is in favor of initiating an LMP through a separate ballot vote. The existing steps provided by MSB 15.24.031(A) are explicit for the initiation and public notification portion of the LMP process. However, there is no legal guidance for finalizing the plan with the community and bringing the plan to the Planning Commission and Assembly for adoption into Borough Code. This has led to community confusion and a distrust of the process. This policy would recognize the final steps necessary to implement a lake management plan for communities currently involved in the process, and future lake management plans.

**III. PROCEDURE**

Existing Steps in the LMP Process:

1. Residents initiate a petition and submit it to the borough. To be considered a valid petition, the community needs 50% of all the property owners (or 50 parcels, whichever is less) within 600 feet of the shoreline to sign.
2. If the petition is valid, it goes to a vote by mailed ballot. One vote per parcel. If the final count is over 50%, a lake management plan begins.
3. The department notifies all property owners of the ballot results. If the majority are in favor, staff schedules public meetings with the community. Staff must also notify the appropriate community council, the local newspaper, and post a sign at the public access point of the lake.

Proposed Clarification of the Process:

1. After two public meetings, staff will draft a lake management plan.
2. At the final public meeting, residents will vote on moving the draft document forward for adoption into Borough Code.
3. There will be one vote per parcel that is within the original 600 feet from the shoreline boundary used for the petition and ballot process, and each resident's identity will be verified upon arrival to the meeting.
4. Residents who could not attend the public meeting will have ten days to review the draft document and meeting recording before submitting a written vote via mail or email.
5. If the majority of all residents who voted in person, by mail, or by email are in favor of the lake management plan, staff will finalize the plan document and legislation, and share with the community council.
6. Planning staff will present the finalized plan to the Planning Commission.
7. Planning staff will present the finalized plan to the Assembly for public hearing and vote for adoption of the Lake Management Plan into MSB 15.24.030(C) *Comprehensive Plan and Purposes*, and MSB 17.59 *Lake Management Plan Implementation*.

**IV. RESPONSIBILITIES**

This policy is the responsibility of the Planning Services Division.

**V. ORGANIZATION AFFECTED**

This policy is a department-wide policy.