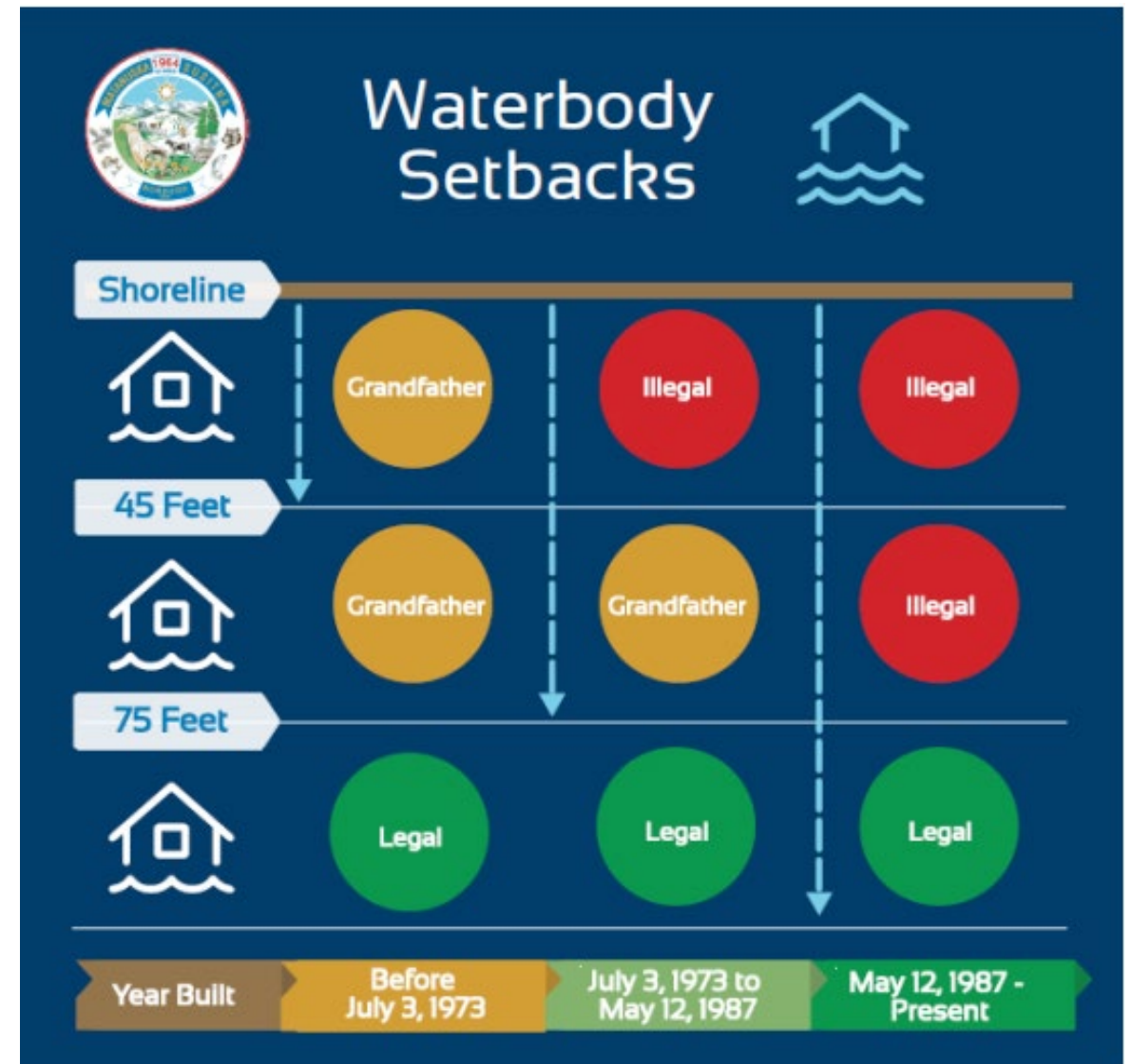




# WATERBODY SETBACKS

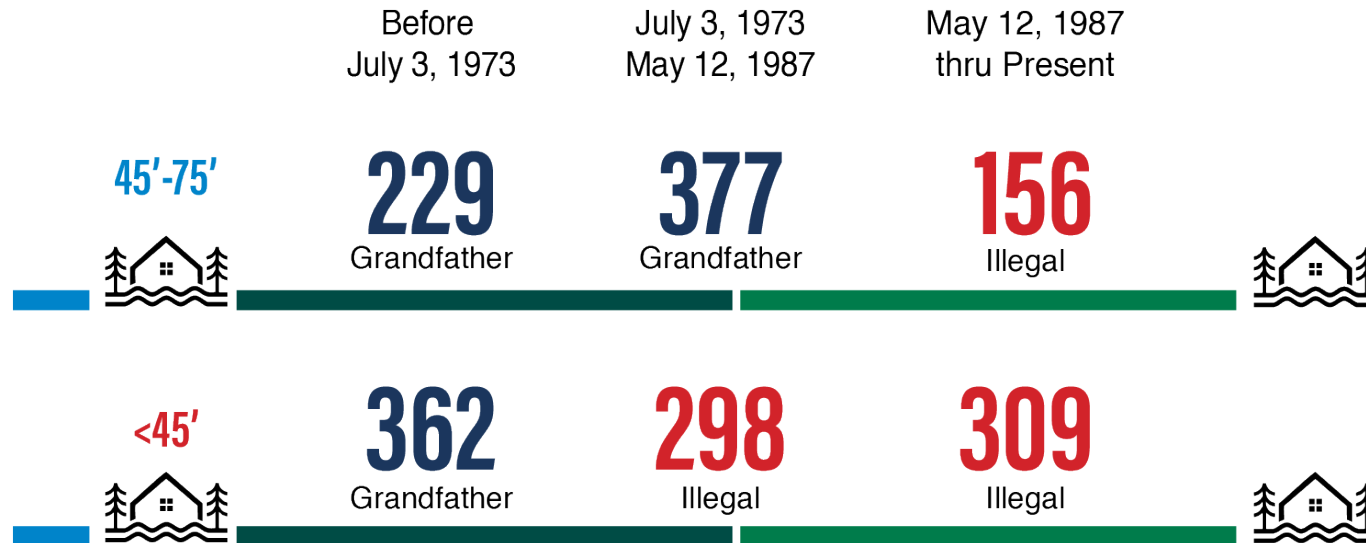


# MSB HISTORY: Setback Regulations



# Current State

## Setback Violations on Lakes



# Waterbody Setback Advisory Board

## Board Membership:

- Design, Constructing Stormwater Abatement (2) – Bill Klebesadel and Tim Alley
- Home Builder, Lending, Real Estate – Bill Haller
- Mat-Su Salmon Habitat Partnership – Matthew LaCroix
- MSB Fish & Wildlife Commission – Kendra Zamzow
- MSB Planning Commission – CJ Koan
- At-Large (3) – Jeanette Perdue, Bill Kendig, Carl Brent





# Waterbody Setback Advisory Board

## Topics of Discussion:

- Code compliance overview
- Mandatory land use Permit overview
- Analysis of existing setback violations
- Financing and sale of illegal structures
- 1998 Setback Analysis
- Review of riparian buffer ordinance
- Non-point source pollution, riparian buffers, fish habitat, and water quality
- In-depth review: MSB 17.65 - Variances
- In-depth review: MSB 17.55 - Setbacks & Screening Easements
- In-depth review: MSB 17.80 - Nonconforming Structures
- Recommended changes to MSB 17.55 and MSB 17.80

TIMES MET

**18**

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# WSAB Recommendations

## Specific code change recommendations:

- Homes previously built in violation of the 75-foot waterbody setback of a lake can become legal provided:
  - The building is at least 45 feet from the lake
  - ~~The building was constructed between 1987~~ present
  - Certain standards are met including a cap on impervious surface, establishment of a riparian buffer, and capture of runoff associated with the development
- Going forward: mechanized land clearing within 75 feet of a waterbody requires a land use permit with provisions for a cap on impervious surface, establishment of a riparian buffer, and capture of runoff associated with the development
- New general standards apply within 25 feet of all waterbodies including setbacks for:
  - Kennels, stables, animal yards and animal waste facilities
  - Paved vehicle parking areas
  - Liquid hazardous substances
  - Removal of vegetation
  - Application of fertilizers or pesticides
  - Stockpiling of imported snow
- Petroleum storage tanks built within 75 feet of a waterbody will have five years to be either non-gravity fed or have secondary containment in place
- Setbacks apply to more than just “habitable”





# WSAB Recommendations

Specific code change recommendations:

- Enhanced enforcement: Waterbody patrol
- Limitation on variances:
  - Not allowed within 45 feet
  - Must follow LUP provisions
- Habitat protection tax incentives





# *Thank You*



**Alex Strawn**  
Planning Dept Director  
[alex.strawn@matsugov.us](mailto:alex.strawn@matsugov.us)  
(907) 861-7850