

NONCODE ORDINANCE

By: Borough Manager  
Introduced: 08/07/18  
Public Hearing: 08/21/18  
Adopted: 08/21/18

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 18-061**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING  
MSB 17.10, OVERLAY DISTRICTS.

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WHEREAS, the 2017 MSB Long Range Transportation Plan contains a recommendation that Airport Compatibility is an important issue, and one strategy listed in the plan to ensure compatibility is to notify property owners of airport locations on MSB or DOT&PF maps, and note proximity to an airport on plats; and

WHEREAS, the Wolf Lake Airport group has submitted a request to the borough to develop an aviation activity notice area district;

WHEREAS, this overlay district (Aviation Activity Notice Area) being requested would not implement any new land use regulations, but simply "notify" nearby property owners and potential buyers of homes within close proximity to an airport that aviation activity is nearby, and they could be impacted by noise associated with that activity.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Adoption of Chapter. MSB 17.10 Overlay Districts  
is hereby adopted as follows:

17.10. Overlay Districts

Sections:

17.10.050 Purpose and intent

17.10.100 Aviation Overlay Districts Established

17.10.110 Aviation Activity Notice Area

17.10.050 Purpose and intent

The purpose of this chapter is to designate areas as Overlay Districts. The designation as an Overlay District is in addition to, and not in lieu of, other code requirements relating to the land use on the property subject to the overlay designation.

17.10.100 Aviation Overlay Districts Established

(A) There are established Aviation Overlay Districts for properties located on, adjacent to, and in the vicinity of (1) commercial service airports, (2) publicly owned or (3) privately owned public use airports in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, the United States Military, and the aviation community; and also to promote compatible land uses in the vicinity of the affected environments of the airport overlay district.

#### 17.10.110 Aviation Activity Notice Area

(A) This designation provides notice to property owners, future property owners, developers, public officials, and others that properties within designated Aviation Activity Notice Areas are located adjacent to or within close proximity of airports and within flight paths of a Federal Aviation Administration (FAA) registered airport. The property within the aviation Activity Notice Area may be affected from a variety of aviation activities. Such activities may include but are not limited to noise, vibration, chemical, odors, hours of operation, low overhead flights and other associated activities.

(C) An Aviation Activity Notice Area may be established for the following types of airports:

1. "Commercial Service Airports" which are designated such through 14 CFR Part 139. The size and layout of an Aviation Activity Notice Area for a commercial service airport will be dictated by their airport master plan.
2. Publicly owned, public use airports will be known as "public airports." The Aviation Activity Notice Area for a

public airport will include the lots within 5,000 feet from the nearest point of the runway centerline.

3. Privately owned, public use airports will be known as "private airports." The Aviation Activity Notice Area for a privately owned public use airport will include the lots within 5,000 feet from the nearest point of the runway centerline.

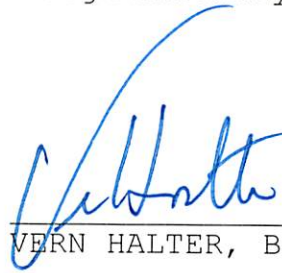
4. Privately owned, restricted use airports will be known as "restricted airports." Aviation Activity Notice Areas may be established for these areas, the distance of which shall be considered on a case by case basis.

(D) The following is an Aviation Activity Notice Area:

1. Wolf Lake Airport (private airport) as indicated on the map attached to ordinance 18-061.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 21 day  
of August, 2018.



VERN HALTER, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Sykes, Beck, McKee, Leonard, Mayfield, Doty,  
and Kowalke

10/10/10

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