

By: Alex Strawn
Introduced: July 20, 2020
Public Hearing: August 3, 2020
Action: FAILED

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-12**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE ADOPTING MSB 17.68 OUTDOOR SHOOTING FACILITIES IN ORDER TO ESTABLISH STANDARDS FOR COMMERCIAL, EDUCATIONAL, AND NONPROFIT OUTDOOR SHOOTING FACILITIES.

WHEREAS, Alaska Statute 29.35.145 provides that the authority to regulate firearms and knives is reserved to the state, except as specifically provided by statute, and a municipality may not enact or enforce an ordinance regulating the possession, ownership, sale, transfer, use, carrying, transportation, licensing, taxation, or registration of firearms or knives; and

WHEREAS, Alaska Statute 29.35.145(b) (2) allows municipalities to enact and enforce ordinances restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that people, domestic animals, or property will be jeopardized, not abridging the right of the individual guaranteed by Art. I, sec. 19 of the Alaska Constitution to bear arms in defense of self or others; and

WHEREAS, Alaska Statute 34.75.030 specifically allows municipalities to regulate the noise level produced by outdoor shooting facilities; and

WHEREAS, Alaska Statute 29.35.210(B)(4) specifically gives second class boroughs the authority to provide for water pollution control on an Areawide basis; and

WHEREAS, Alaska Statute 29.35.180 requires second class boroughs to provide for land use regulation; and

WHEREAS, commercial outdoor shooting ranges have the potential to generate stray bullets, lead contamination, and harmful levels of noise; and

WHEREAS, in September 2019 the Matanuska-Susitna Borough Assembly directed Borough staff to "develop a conditional use permit process for commercial, educational, and nonprofit outdoor shooting facilities ot be reviewed by the Planning Commission and adopted by the Assembly";and

WHEREAS, on July 20, 2020 the Planning Commission held a public hearing on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Ordinance Serial N. 20-25.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this 3rd day of August, 2020.

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES: Anderson, Chesbro, Vague

NO: Ortiz, Elder, Glashan