

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.67.030 EXEMPTIONS UNDER CHAPTER 17.67 TALL STRUCTURES INCLUDING TELECOMMUNICATION FACILITIES, WIND ENERGY CONVERSION SYSTEMS, AND OTHER TALL STRUCTURES.

AGENDA OF: September 21, 2021

ASSEMBLY ACTION:

Adopted with Assemblymembers
McKee + Tew opposed 10-5-21 (BGM)

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: MB

| Route To: | Department/Individual | Initials | Remarks |
|-----------|-----------------------------|-------------|---------|
| | Planning Director A. Strawn | AS | |
| | Borough Attorney | FL for N.S. | |
| | Borough Clerk | SM 9/13/21 | (BGM) |

ATTACHMENT (S) : Fiscal Note: YES ___ NO X

Planning Commission Resolution 21-21 (3 pp)

Ordinance Serial No. 21-085 (2 pp)

SUMMARY STATEMENT: This ordinance is presented at the request of Assemblymember Boeve.

When the Tall Structure Chapter was originally adopted, amusement rides such as a tethered balloon taking people up into the air was not contemplated. Placement of tall amusement rides have the potential to negatively affect surrounding land uses, visual view sheds, and property values. Consequently, such uses should be subject to the conditional use process to minimize impacts on surrounding land uses. Further, limiting the exemption as proposed to uses for less than 30 days is intended to bring such uses into the purview of the MSB Planning Commission as conditional uses.

Drilling derricks were removed from the exemption because they are not temporary in nature and are not associated with active construction projects.

RECOMMENDATION OF ADMINISTRATION: Adoption of the legislation.

By: Alex Strawn
Introduced: August 2, 2021
Public Hearing: August 16, 2021
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 21-21**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.67.030 EXEMPTIONS UNDER CHAPTER 17.67 TALL STRUCTURES INCLUDING TELECOMMUNICATION FACILITIES, WIND ENERGY CONVERSION SYSTEMS, AND OTHER TALL STRUCTURES.

WHEREAS, the Assembly adopted an ordinance creating Chapter 17.67, Tall structures, including telecommunications facilities, wind energy conversion systems, and other tall structures; and

WHEREAS, the intent of MSB 17.67 is to establish regulations for the siting of telecommunication facilities, wind energy conversion systems (WECS), and other tall structures relating to land use and infrastructure; and

WHEREAS, when the Tall Structure Chapter was originally adopted, amusement rides, such as tethered balloon taking people up in the air, was not contemplated; and

WHEREAS, placement of tall amusement rides have the potential to negatively affecting surrounding land uses, visual view sheds, and property values; and

WHEREAS, such uses should be subject to the conditional use process to minimize impacts on surrounding land uses; and

WHEREAS, limiting the exemption to uses for less than 30 days is intended to bring such uses to the purview of the MSB Planning Commission as conditional uses.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends the Matanuska-Susitna Borough Assembly adopt the changes to Ordinance 17.67 as follows:

1. (A) The following items are exempt from the provisions of this chapter:
2.
3. (2)temporary tall structures, including but not limited to drilling derricks and construction cranes which are utilized on active construction projects or other temporary tall structures that are on site less than 30 [180] calendar days total within a consecutive 12-month period and are not intended to routinely reoccur on the same site;

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1M 21-165
OR 21-085

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this 16th day of August, 2021.


COLLEEN VAGUE, Chair

ATTEST


KAROL RIESE, Planning Clerk

(SEAL)



YES: (4) Commissioner Glashan, Anderson, Vague, and Chesbro.
NO: (0)