

Introduced by:	Drathman
Date:	11/21/95
Hearing:	1/02/96
Postponed	1/16/96
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 95-38**

**AN ORDINANCE ESTABLISHING AN ADVISORY
PLANNING COMMISSION IN THE AREA ALONG THE NORTH SHORE OF
KACHEMAK BAY EXCLUDING THE CITIES OF HOMER AND KACHEMAK**

WHEREAS, pursuant to Alaska Statute 29.35.180, a second class borough provides all planning, platting, and land use regulation in accordance with AS 29.40; and,

WHEREAS, AS 29.40.010 states that a second class borough shall provide for planning, platting, and land use regulation on an areawide basis; and,

WHEREAS, the Kenai Peninsula Borough ("the Borough") is a second class borough; and

WHEREAS, the governing body responsible for exercising this authority for the Borough is the Assembly and the Kenai Peninsula Borough Planning Commission; and,

WHEREAS, the Assembly has previously created local Advisory Planning Commissions within the Borough for the purpose of providing advice to the Borough Planning Commission on matters of local concern in carrying out its planning and land use regulation obligations; and,

WHEREAS, there is a need for a local advisory planning commission in the community comprised of the residents of the area described as the "North Shore of Kachemak Bay " to allow and encourage local participation in planning and land use regulation;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Code of Ordinances is hereby amended by adding a new section to be numbered 21.02.025 which shall read as follows:

21.02.025. Kachemak Bay Advisory Planning Commission.

An advisory planning commission is established for the area of the borough known as North Shore of Kachemak Bay with boundaries as follows.

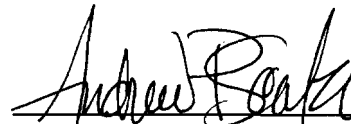
Beginning at the point of intersection of the north 1/16th line of Section 35 T5S,

R15W and Cook Inlet; thence easterly along said line to the line common with Sections 32 and 33 T5S, R14W; thence north along said line to the thread of the Anchor River; thence northeasterly along the thread of the Anchor River to the line common with R13W and R14W; thence northerly along said line to the line common with T4S and T5S; thence westerly along the line common with T4S and T5S to the intersection of the line common with R13W and R14W; thence northerly along said line to the line common with T3S and T2S; thence easterly to the intersection of said line and the Kenai National Wildlife Refuge Boundary; thence southerly and easterly to the intersection of the Kenai National Wildlife Refuge boundary and the line common with T4S and T5S; thence westerly along the line common to T4S and T5S to the shore of Kachemak Bay; thence along the shore of Kachemak Bay to the Point of Beginning, excluding the Cities of Homer and Kachemak.

SECTION 2. That the Kachemak Bay Advisory Planning Commission is hereby empowered and authorized to act in accordance with the provisions of KENAI PENINSULA BOROUGH 21.02 in advising the Borough Planning Commission on planning and land use regulation matters affecting that community.

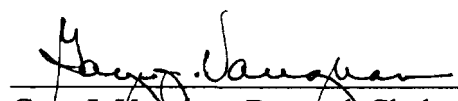
SECTION 3. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16th DAY OF JANUARY, 1995.

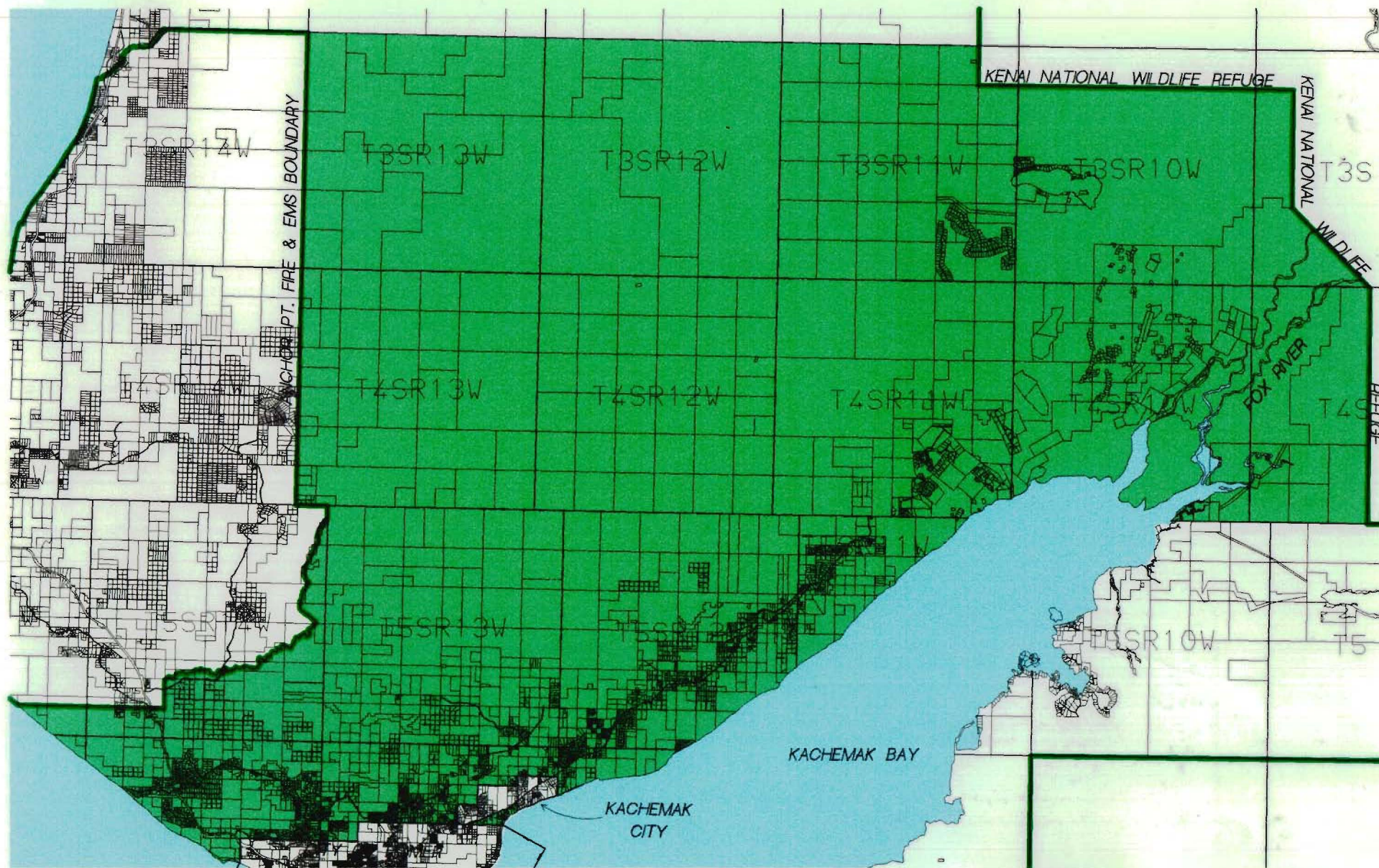


Andrew P. Scalzi, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk



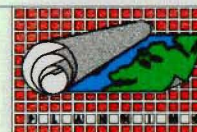
LEGEND



KACHEMAK BAY
ADVISORY PLANNING
COMMISSION BOUNDARY

REVISION BLOCK

Last Revised By: Last Revised By:
1/22/2006 CAC



THE INFORMATION DEPICTED HEREON
IS FOR A GRAPHIC REPRESENTATION
ONLY OF BEST AVAILABLE SOURCES.
THE KENAI PENINSULA BOROUGH
ASSUMES NO RESPONSIBILITY FOR
ANY ERRORS ON THIS MAP.

KENAI PENINSULA BOROUGH
GIS DIVISION

KACHEMAK BAY ADVISORY
PLANNING COMMISSION

SCALE: 1" = 3.5

NOV. 8, 1995