

Introduced by: Merkes  
Date: 1/02/96  
Hearing: 2/06/96  
Action: Enacted as Amended  
Vote: Unanimous

**KENAI PENINSULA BOROUGH  
ORDINANCE 96-02**

**AN ORDINANCE ESTABLISHING AN ADVISORY PLANNING COMMISSION FOR  
THE COMMUNITY OF FUNNY RIVER**

**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 area wide 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 community of Funny River" to allow and encourage local participation in planning and land use regulation; and

**WHEREAS**, several Funny River residents have expressed an interest in forming a local advisory planning commission:

**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 21.02.036 which shall read as follows:

**21.02.036 Funny river advisory planning commission.**

An advisory planning commission is established for the community of the borough known as Funny River to include an area of land described as follows:

- All of T5N R8W lying south of the southerly bank of the Kenai River;
- Lots 1 through 72, Tracts A and B, Dow Island (Plat 72-76 KRD), within Section 27, T5N R8W;
- Lots 1 through 3, Conley Subdivision No. 2 (Plat 82-38 KRD), within Section 27, T5N R8W;
- All of T5N R9W lying south of the southerly bank of the Kenai River;
- Government Lot 7 shown on United States General Land Office survey plat accepted May 6, 1941, within Section 22, T5N, R9W;
- Government Lot 9 shown on United States General Land Office survey plat accepted May 6, 1941, within Section 23, T5N R9W;

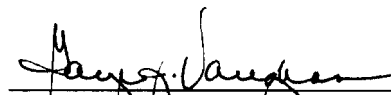
All within the Seward Meridian, Alaska; containing 14,000 acres more or less.

**SECTION 2.** That the Funny River Advisory Planning commission is hereby empowered and authorized to act in accordance with the provisions of KPB 21.02 in advising the Borough Planning commission on planning and land use regulation matters affecting that community.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6th DAY OF FEBRUARY, 1996.**

  
 Andrew P. Scalzi, Assembly President

ATTEST:

  
 Gaye J. Vaughan, Borough Clerk