



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Milli Martin, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** *Max J. Best* David R. Carey, Borough Mayor

**FROM:** Max J. Best, Planning Director

**DATE:** April 20, 2009

**SUBJECT:** a. Ordinance 2009-27; Ordinance delegating limited platting powers to Kachemak City for the purpose of regulating minimum lot size within Kachemak City Limits.

b, Ordinance 2009-26; Ordinance amending Kenai Peninsula Borough Code Section 20.12 to establish a subdivision or replat submittal procedure for second class cities within the Borough and Section 20.20 to clarify regulations regarding minimum lot size.

The Planning Commission reviewed the subject ordinances during their regularly scheduled April 13, 2009 meeting. A motion to recommend enactment of the ordinances passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

**AGENDA ITEM F. PUBLIC HEARINGS**

- 8. Ordinances relating to the delegation of limited platting powers to Kachemak City.
  - a. Ordinance 2009-\_\_\_; Ordinance delegating limited platting powers to Kachemak City for the purpose of regulating minimum lot size within Kachemak City Limits.
  - b. Ordinance 2009-\_\_\_; Ordinance amending Kenai Peninsula Borough Code Section 20.12 to establish a subdivision or replat submittal procedure for second class cities within the Borough and Section 20.20 to clarify regulations regarding minimum lot size.

Memorandum reviewed by Crista Hippchen

PC Meeting: 4/13/09

The Kenai Peninsula Borough Assembly will hold a public hearing for the Kachemak City Comprehensive Plan on April 7, 2009. If adopted, the plan will be the foundation for any land use regulations passed by the Kachemak City Council.

According to the Kachemak City Clerk, the April 15, 2009 city council meeting agenda includes Resolution 2009-02, requesting the delegation of limited platting powers from the Kenai Peninsula Borough.

The two ordinances are intended to be considered together, as the proposed code changes in the second ordinance are only necessary if the first ordinance delegating limited platting powers is adopted.

**END OF MEMORANDUM**

Chairman Bryson opened the meeting for public comment.

- 1. Bill Smith  
Mr. Smith stated he was a resident of Kachemak City and welcomed everyone to Homer. The Kachemak City Ordinances are a culmination of a long process that Kachemak City simply wanted to have a small amount of influence on the way the community develops. He thanked the staff for working hard to develop through all the nuances of how to do this and asked for the commission's support.

Seeing and hearing no one else wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

- a. **MOTION:** Commissioner Murphy moved, seconded by Commissioner Carluccio to recommend enactment of Ordinance 2009-\_\_\_; delegating limited platting powers to Kachemak City for the purpose of regulating minimum lot size within Kachemak City Limits.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS YES	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD ABSENT	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	11 YES 2 ABSENT

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

- b. **MOTION:** Commissioner Murphy moved, seconded by Commissioner Carluccio to recommend enactment of Ordinance 2009-\_\_\_;amending Kenai Peninsula Borough Code Section 20.12 to establish a subdivision or replat submittal procedure for second class cities within the Borough and Section 20.20 to clarify regulations regarding minimum lot size.

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS YES	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD ABSENT	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	11 YES 2 ABSENT

**AGENDA ITEM F. PUBLIC HEARING**

- Ordinance 2009-20; Amending Chapter Five, Transportation, of the 2005 Kenai Peninsula Borough Comprehensive Plan by Deleting Appendix F, "Alaska DOT&PF Statewide Transportation Improvement Program Kenai Peninsula Borough Projects", and Adding a New Appendix J, "Alaska DOT&PF Statewide Transportation Improvement Program Kenai Peninsula Borough Projects"

Memorandum reviewed by Crista Hippchen

PC Meeting: 4/13/09

The assembly recently adopted Resolution 2009-023 supporting the submission of projects for the Alaska DOT&PF 2010-2013 State Transportation Improvement Program (STIP). As a result, the projects supported by that resolution have now received full preliminary scoring by the STIP adjudicators, according to the DOT&PF Central Region Area Planner. However, the project list recommended in Resolution 2009-023 has changed significantly from the project list that was adopted by the assembly in 2003 and 2005 as an appendix in the Kenai Peninsula Borough (KPB) transportation and comprehensive plans, respectively.

The DOT&PF Area Planner agrees that deleting the appendix of outdated STIP projects and adding a new appendix containing the recently recommended projects will help the KPB projects meet the STIP scoring criteria.

**END OF MEMORANDUM**

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Carluccio moved, seconded by Commissioner Murphy to recommend enactment of KPB Ordinance 2009-20; Amending Chapter Five, Transportation, of the 2005 Kenai Peninsula Borough Comprehensive Plan by Deleting Appendix F, "Alaska DOT&PF Statewide Transportation Improvement Program Kenai Peninsula Borough Projects", and Adding a New Appendix J, "Alaska DOT&PF Statewide Transportation Improvement Program Kenai Peninsula Borough Projects"

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CARLUCCIO YES	COLLINS YES	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD ABSENT	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN YES	11 YES 2 ABSENT

**AGENDA ITEM G. ANADROMOUS STREAM HABITAT PROTECTION (KPB 21.18) - None**

**AGENDA ITEM H. VACATIONS NOT REQUIRING A PUBLIC HEARING - None**

**AGENDA ITEM I. SPECIAL CONSIDERATIONS**

- Review of February 9, 2009 Plat Committee Denial of Exception for Right-of-way Dedication; Fair Ridge Subdivision Part Six; KPB File 2008-245; McLane/Fair; Location: Forbidden Court in Soldotna

Staff Report reviewed by Max Best

PC Meeting: 4/13/09

Per KPB 2.40.080 (B), the review of a decision of the plat committee may be heard by the planning