



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

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**DAVE CAREY  
BOROUGH MAYOR**

### **M E M O R A N D U M**

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

**THRU:** *DKC* David R. Carey, Borough Mayor  
*MB* Max Best, Planning Director

**FROM:** *CH* Crista Hippchen, Planner

**DATE:** April 8, 2009

**SUBJECT:** **Ordinance 2009-27**, Delegating Limited Platting Powers to Kachemak City for the Purpose of Regulating Minimum Lot Size Within Kachemak City Limits

After the recent adoption of the Kachemak City Comprehensive Plan, this ordinance takes the next step toward achieving Kachemak City's goal of being able to regulate minimum lot size within its boundaries with regard to new subdivisions or replats.

The Kenai Peninsula Borough currently provides platting for all areas of the borough; however, AS 29.40.010(b) allows the assembly to delegate any borough power or duty to a city, providing the city consents by ordinance to the delegation.

Kachemak City has forwarded the attached Resolution 2009-02, "Requesting the Delegation of Limited Platting Powers from the Kenai Peninsula Borough." This resolution is scheduled for the April 15, 2009, Kachemak City Council meeting agenda.

# KACHEMAK CITY, ALASKA

P.O. BOX 958, (VIA) HOMER, ALASKA 99603

PH. (907) 235-8897 FAX (907)235-8854

April 2, 2009

Ms. Crista Hippchen  
Kenai Peninsula Borough  
144 North Binkley  
Soldotna, AK 99689

Dear Crista:

Re: City of Kachemak Resolution 2008-02

Enclosed is a copy of our resolution requesting the delegation of limited platting powers from the Kenai Peninsula Borough. This resolution will be introduced at the April 15, 2009 regular council meeting.

Our meeting was originally scheduled for April 8 (the second Wednesday of the month) but due to some scheduling conflicts the Council moved the meeting to April 15.

If you have any questions, please give me a call.

Sincerely,



Helyn I. Schoepke  
City Clerk

Enclosure

CITY OF KACHEMAK  
KACHEMAK, ALASKA

RESOLUTION 2009-02

A RESOLUTION OF THE CITY OF KACHEMAK REQUESTING THE DELGATION OF LIMITED  
PLATTING POWERS FROM THE KENAI PENINSULA BOROUGH

WHEREAS, The City of Kachemak put an advisory proposition on the October 2, 2007 general election ballot asking if the City of Kachemak should instruct the Kenai Peninsula Borough to require a minimum lot size of 40,000 square feet on new plats; and

WHEREAS, this proposition passed with 87 votes for the proposition and 26 votes against the proposition; and

WHEREAS, on January 14, 2009, the City of Kachemak, as a second class city inside a second class borough, approved a Comprehensive Community Plan that includes language expressing the City's desire to restrict lot sizes to a minimum of 40,000 square feet for new subdivisions and replats proposed within the City of Kachemak; and

WHEREAS, the Community Comprehensive plan has been submitted it to the Kenai Peninsula Borough Assembly for adoption; and

WHEREAS, AS 29.40.010.b allows the KPB assembly to delegate any borough power or duty to a city, providing the city consents by ordinance to the delegation; and

WHEREAS, if the Comprehensive Community Plan is adopted by the borough assembly and City of Kachemak accepts the delegation of limited platting powers from the Kenai Peninsula Borough, it will be able to enact land use regulation(s) based on the comprehensive plan language for the purpose of establishing minimum lot size within the City of Kachemak;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KACHEMAK:

Section 1. The City of Kachemak requests limited platting powers from the Kenai Peninsula Borough for the purpose of establishing a minimum lot size of 40,000 square feet on all new subdivisions and replats within the City.

Section 2. That this resolution shall take effect immediately upon its adoption.

PASSED and APPROVED by a duly constituted quorum of the City of Kachemak this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF KACHEMAK

\_\_\_\_\_  
Philemon D. Morris Mayor

ATTEST:

\_\_\_\_\_  
Helyn I. Schoepke, City Clerk