

Introduced by:	Mayor
Date:	4/02/96
Carried over to:	4/16/96
Action:	Adopted
Vote:	6 Yes, 3 No
Reconsideration noticed:	4/22/96
Action:	No motion made

**KENAI PENINSULA BOROUGH
RESOLUTION 96-031**

**A RESOLUTION CLASSIFYING CERTAIN BOROUGH LAND LOCATED OFF
QUARTZ CREEK ROAD IN COOPER LANDING**

- WHEREAS,** a petition has been received to classify certain undesignated borough land located along Quartz Creek Road in Cooper Landing as rural and preservation pursuant to KPB 17.10.080(F); and
- WHEREAS,** the Borough has received a final decision from the State of Alaska for the land to be classified; and
- WHEREAS,** State mining claims located within the boundary of the proposed classification are valid existing third party interests and are unaffected by classification of Borough land; and
- WHEREAS,** in accordance with Chapter 17.10.080 public notice has been published and notification has been sent to land owners and/or leaseholders of record within one-half mile of the area to be classified, and to applicable agencies and interested parties; and
- WHEREAS,** the Cooper Landing Advisory Planning Commission voted to disapprove the rural and preservation classifications by a majority vote during their April 19, 1995 meeting; and
- WHEREAS,** the Planning Commission held a public hearing on the proposed classification May 8, 1995 and recommended postponement of the proposed classification until the Cooper Landing Advisory Planning Commission's land use plan is completed; and
- WHEREAS,** the Planning Commission on September 11, 1995 moved to reconsider the postponement of the proposed classification, and the motion did not pass; and
- WHEREAS,** the Cooper Landing Advisory Planning Commission at its February 14, 1996 meeting adopted Proposal A for Community Recommendations on a Land Use Plan for

Borough Lands in Cooper Landing which recommends preservation for the entire area encompassed by the petition; and

WHEREAS, the Borough Planning Commission at its regularly scheduled February 26, 1996 meeting recommended the petition area be classified as Resource Management and Preservation;

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

SECTION 1. That the following described borough land is to be classified "Preservation" and "Resource Management":

Existing State mining claims all being within S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 20 and the NW $\frac{1}{4}$ Section 29, T5N, R2W, S.M., Alaska as shown on the attached map.

SECTION 2. That the following described borough land is to be classified "Preservation":

That area of the Martin petition located outside of existing State mining claims all being within E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 19, SW $\frac{1}{4}$, Section 20, and NW $\frac{1}{4}$, Section 29, T5N, R2W, S.M., Alaska, and being more particularly described as shown on the attached map.


SECTION 3. This classification shall take effect immediately upon adoption of this resolution.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16nd DAY OF APRIL, 1996.



Andrew P. Scalzi, Assembly President

ATTEST:



Gaye J. Vaughan, Borough Clerk