

Kenai Peninsula Borough Land Classification Definitions Borough Code of Ordinances, Title 17

"Agriculture" means activities that result in products for human or animal use. Agriculture activities may include raising crops, animals, or grazing animals. Agriculture does not include human habitation.

"Commercial" means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks. Lands must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, near public utilities and be in proximity to residential areas.

"Government" means lands that may be or are required for use by a federal, state or local governmental entity. Such uses include existing and future school sites; sites for service area facilities; or, any governmental use determined to be beneficial to the public.

"Heavy Industrial" means lands suitable for processing chemicals or manufacturing from or extraction of raw materials, stockyards, fish processing plants, distilleries, or uses that may discharge water, create hydrocarbons, excessive noise, odors, danger of explosions, or waste material, making them incompatible with most other land uses. Lands should not be located in or immediately adjacent to residential development; parcels should be of sizes reasonably appropriate to accommodate the activities together with sufficient buffers zones for the activity associated with this class of use. Appropriate access shall be available or feasible without going through residential areas. The lands shall be in a location that is reasonably convenient to conduct the activity.

"Institutional" means lands which may be of value for the location of churches, private schools, clubs, associations, nonprofit organizations, or cemeteries.

"Light Industrial" means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed areas, and light manufacturing not inside buildings.

"Preservation" means lands needed for stabilization or maintenance of natural features, historic value, known nesting areas of migratory birds or required to maintain the integrity of certain types of easements or as buffers, green belts, water sheds or other reservations to preserve natural resources and aesthetic qualities. Soils may be of such a nature as to not be usable for construction of buildings.

"Recreational" means land located in an area where the potential for recreational use exists. This may include both indoor and outdoor uses such as gun ranges, archery ranges, camping, golf courses, snow machine trails, cross country trails, skiing, boating, fishing or which may provide access to those activities. Recreational does not include use of lands for amusement parks. Site conditions for any authorized use must be appropriate and suited for such uses. Recreational lands disposed of to private parties must allow public use unless specifically waived by ordinance. If recreational lands are for sale or lease then restrictions may be imposed for appropriate uses given conditions and surrounding use. Not all activities are suitable for all sites.

"Residential" means lands suitable for development for single family or multifamily settlement of a permanent nature. Residential parcels may be located adjacent to existing communities or are determined to be necessary for future community development. Residential parcels must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, have legal access and feasible physical access, suitable terrain and appropriate with the given surrounding uses.

"Rural" means lands which are located in a remote area. This classification will have no restrictions.

"Utility/Transportation" (not including oil and gas and electricity generation or production facilities) means lands which may be of value for airports, port and harbor facilities, power lines, pipelines, utility services, rights-of-way, easements and related activities but does not include general and production facilities for oil and gas and electricity.

"Waste Handling" means land with suitable characteristics and location for the express purpose of providing facilities to handle solid waste, recyclable materials, transfer stations, junked or wrecked vehicles, demolition refuse, septic and sewage waste and industrial waste. Disposal or use of any tract so classified will be subject to determination of the tract being suitable for a particular proposed activity.

"Resource Development" means land containing resources of sufficient volume and quality and located so that on-going development or production of those resources would yield an overall net economic return. Lands so classified may be sold or leased subject to appropriate restrictions concerning operations or future reclamation. Lands so classified may be retained by the borough and resources on those lands may be sold or permitted for use.

"Resource Management" means land having resources which may be extracted as an interim use in a manner which will not create a negative impact on the most appropriate use of the land. This classification is not exclusive and may overlap any other classification thereby allowing other non-conflicting uses. Resources on these lands may be sold or permitted for use.

"Grazing Lands" means those lands which in their natural state have the physical and climatic features that make them primarily useful for the pasturing of domestic livestock. This classification is not exclusive and may overlap any other classification thereby allowing other nonconflicting uses.

Kenai Peninsula Borough Service Area
SEWARD/BEAR CREEK FLOOD SERVICE AREA

302 Railway Suite #123
P.O. Box 1554
Seward, Alaska 99664
(907) 224-3340
(907) 224-5197 (Fax)
sbcfsa@arctic.net

August 2, 2005

Kenai Peninsula Borough
Land Management Division
ATTN: Paul Ostrander
144 N. Binkley
Soldotna, AK 99669

RE: Land Classification for Exit Glacier Subdivision, Tracts 1 and 2

Dear Mr. Ostrander:

The Seward/Bear Creek Flood Service Area Board discussed the proposal to reclassify Exit Glacier Subdivision, Tracts 1 and 2 at the August 1, 2005 meeting.

The Board continues to believe that the un-subdivided parcel has more long-term value classified as wetland preservation for the purpose of flood water retention and flood mitigation. Any development on these parcels will be continuously subject to serious flood problems and is likely to alter natural flow patterns and increase flood impacts to surrounding properties and infrastructure.

The Seward / Bear Creek Flood Service Area Board recommends the Borough withdraw the current land classification proposal and carry on with the current classification as wetland preservation in perpetuity.

In the future, the Board asks that all decisions that involve land use and development in the Seward area be provided in a timely manner to the Seward/Bear Creek Flood Service Area for preliminary review. This will allow flood issues to be identified and recommendations to be made.

Respectfully,



Jim McCracken, Chairman

MU

Enclosures- SBCFSA Letter of June 14, 2004

Kenai Peninsula Borough Service Area
SEWARD/BEAR CREEK FLOOD SERVICE AREA

302 Railway Suite #123
P.O. Box 1554
Seward, Alaska 99664
(907) 224-3340
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sbefsa@arctic.net

June 14, 2004

Kenai Peninsula Borough
Land Management Division
ATTN: Paul Ostrander
144 N. Binkley
Soldotna, AK 99669

RE: Kenai Peninsula Borough (KPB), Land Classification for Exit Glacier Subdivision,
Tracts 1, 2, and 3

Dear Mr. Ostrander:

Thank you for the opportunity to review the KPB land classification proposal described as Exit Glacier Subdivision, Tracts 1, 2 and 3. The Seward/Bear Creek Flood Service Area Board discussed the proposal at the June 7, 2004 meeting. As you may be aware, many of the Flood Service Area Board members have extensive experience with Seward area flood problems. It is this experience that we wish to offer as input into the proposed land classification and sale decisions.

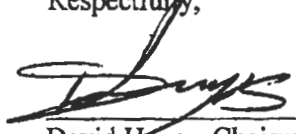
Although it may be less evident during the drier periods of the year, seasonally, the 40+-acre parcel is almost entirely marshy and serves as a "sponge", retaining and slowing runoff that would otherwise intensify flooding in the surrounding area. The entire area is susceptible to overland surge-release flooding from Box Canyon Creek. In addition, the eastern portion of the parcel encompasses the headwater springs and wetlands of Clear Creek.

Although we understand and support the Borough's efforts to make developable land available, we strongly recommend against the sale and subsequent development of any portion of this parcel. Development on this parcel will be continuously subject to serious flood problems and is likely to alter natural flow patterns and increase flood impacts to surrounding properties and infrastructure. The un-subdivided parcel has more long-term value classified as wetland preservation, flood water retention and flood mitigation.

In summary, the Seward / Bear Creek Flood Service Area Board recommends the Borough withdraw the preliminary plat and current land classification proposal. We support instead a preservation classification for the entire 40+-acre parcel. We respectfully request decisions that involve land use and development in the Seward area to be provided to the Service Area board for preliminary review. This will allow flood issues to be identified and precautionary recommendations to be made "up-front" in the process.

Thank you once again for the opportunity to comment and please feel free to contact me if you have any questions or comments.

Respectfully,



David Hayes, Chairman

MU



31515 Lois Way, PO Box 1662
Seward, AK 99664
907-224-5046

July 29, 2005


KPB
AUG -3 2005
PLANNING DEPT.

Kenai Peninsula Borough
Land Management Division
144 N. Binkley Street
Soldotna, AK 99669-7599

Re: Tracts 1 and 2, Exit Glacier Subdivision No. 2 filed as Plat No. 2004-10
Seward Recording District

To Whom It May Concern:

Last year the Kenai Peninsula Borough discussed the proposal to reclassify Tracts 1 and 2, Exit Glacier Subdivision No. 2 filed as Plat No. 2004-10, Seward Recording District to commercial. After lots of public input and debate, the Borough decided to classify this property preservation.

We strongly believe that since the Borough recently has already gone through this process that they should not waste taxpayers time or money to go through this process again.

Therefore, we urge the Kenai Peninsula Borough to keep these two tracts classified as preservation.

Sincerely,


Barb and Cliff Young
Box Canyon Cabins

41300 Blueberry Ave
Soldotna, AK 99669
262-8546

July 10, 2005

Kenai Peninsula Borough
Land Management Division
144 N. Binkley Street
Soldotna, AK 99669


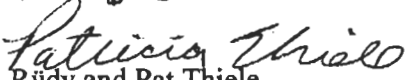


To whom it may concern:

This letter is in response to the classification of subject land (Ridgeway N ½ NE ¼, Section 23, T5N, R10W Seward Meridian Parcel No. 058-032-31). Said land is currently unclassified. The parcel in question abuts our property to the North. We understand that there may be a need for additional land to be made available for tax revenue, but we hope that you will consider the following in your deliberations.

- 1) It is a natural corridor for wildlife. Bears are common in the area, as are moose, and caribou. Many birds nest in the area including eagles, owls and hawks.
- 2) That area is a natural barrier between other neighborhoods, on the other side of Soldotna Creek and our neighborhood. We have covenances, which restrict the size and condition of houses, and the number of dogs allowed. With your proposal there would be no covenances in place for anyone wishing to build anything in the area.
- 3) The location of the parcel is low lying on a north-facing slope, which doesn't get any sun in the winter. It is unsuitable for residential designation.
- 4) With the low quality of the land, any lot sold would be of low value. And would lower the value of our property and those in the area. This possibility exists as in conjunction with the notation of no covenances, dog teams and livestock could be next to us, not to mention half constructed buildings with "Blue tarp" roofs, junk cars, increased noise levels, all of which would lower our property values.

In conclusion, we very much disagree with your intent to designate parcel 058-032-31 as "Residential" for the reasons noted above, and wish to recommend most strongly that if, at this time parcel 058-032-31 needs to be given a designation, make it "preservation". It would be better designated as a preserve as it fit's the description of that usage better than residential.

Sincerely,


Rüdy and Pat Thiele

May 10, 2004

Kenai Peninsula Borough
Planning Department
Attn: Paul Ostrander
144 N. Binkley Street
Soldotna, Alaska 99669



Dear Mr. Ostrander:

I am interested in purchasing a 40 acre piece of property that the borough owns at this time. The legal description to this 40 acres is HM T05S R15W S14 NE1/4 NW1/4 and is located off the Old Sterling Highway between Anchor Point and 8 mile.

I would like the opportunity to purchase this piece of property, be it by negotiation or the Outcry Auction.

Thank you for your time and I will be contacting you at a later date as a follow-up to this letter.

Sincerely,

Handwritten signature of Christy Drake in cursive script.

Christy Drake
Box 23
Anchor Point, Alaska 99556

PARCEL 169-132-13



JUL - 5 2005
PLANNING DEPT.

June 27, 2005

Dear Land Owner or Leaseholder:

Pursuant to Kenai Peninsula Borough (KPБ) Code of Ordinances, Chapter 17.10.080, the KPБ proposes to classify certain Borough land. This notice is being sent to you because you are an owner and/or leaseholder of land within a one-half mile radius of the KPБ land proposed to be classified. The Borough encourages you to review the land classification, attend meetings, and submit written comments. Maps showing the subject land are also available at the KPБ Planning Department public counter or on the borough's web site under *Public Notices* at <http://www.borough.kenai.ak.us/planningdept>

PETITIONER: Kenai Peninsula Borough, Alaska.

BASIS FOR CLASSIFICATIONS: Borough land must be classified prior to disposal pursuant to (KPБ) Code of Ordinances, Chapter 17.10.080. After classification, parcels appropriate for disposal will be considered for the borough's 2005 land sale.

CURRENT CLASSIFICATION: Preservation.

PROPOSED CLASSIFICATION: Preservation and Commercial.

DESCRIPTION OF BOROUGH LAND: As shown on the attached map, the land proposed for classification is located in the Seward area and more particularly described as Tracts 1 and 2, Exit Glacier Subdivision No. 2, filed as Plat No. 2004-10, Seward Recording District. (Tract 1, containing approximately 10.00 acres, Parcel No. 144-010-47) & (Tract 2, containing approximately 10.46 acres, Parcel No. 144-010-48)

MEETING SCHEDULE: The public is invited to comment and give testimony at the following meetings. Public meetings will be held as shown unless otherwise advertised.
KPБ Planning Commission Public Hearing: August 8, 2005, 7:30 p.m. at the KPБ Administration Building, 144 N. Binkley Street, Soldotna, AK 99669-7599.
KPБ Assembly Meeting: August 16, 2005, 7:00 p.m. KPБ Administration Building, 144 N. Binkley Street, Soldotna, AK 99669-7599.

WRITTEN COMMENTS: Written comments received before 5:00 p.m., **July 11, 2005** will be included in the Planning Commission mail-out packets. Written comments must be received not later than 5:00 p.m., August 8, 2005 to be considered at the Planning Commission public hearing.

Written comments may be sent to the following address:
Kenai Peninsula Borough, Land Management Division
144 N. Binkley Street, Soldotna, AK 99669-7599

ADDITIONAL INFORMATION: For further information contact Paul Ostrander or Daniel Conetta, Land Management Division at 907-714-2211, or toll free within the Borough 1-800-478-4441, ext. 2211.

The Kenai Peninsula Borough reserves the right to waive technical defects in this publication.

Over for comments

PS. This spring I saw brand new baby moose twins and a beautiful Brown Bear yearling in my yard. This is why I live in Alaska. (one of the reasons)

June 28, 2005

To Whom It May Concern:

I have lived next door (Lot 22, Gentles Subdivision) to this borough land since 1990.

I feel very strongly that all of Tracts 1, 2, and 3 should remain classified as Preservation.

In a short 15 years there has been considerable development along old Exit Glacier Road & its side roads. I would like it to stop now before more traffic & development drives all of the wildlife further away.

Thank you for your time & attention to this matter.

Sincerely, Gabrielle A. Burkham

Heather MacQuarrie
PO Box 1365
Seward, AK 99684
(907) 224-5879

July 11, 2006

Kenai Peninsula Borough,
Land Management Division
144 N. Binkley Street
Soldotna, AK 99669-7599

Via Fax (907) 262-8618

RE: Tract 1 & 2, Exit Glacier Subdivision No. 2

Dear Members of the Planning Commission:

I am writing to voice my concerns over the proposed reclassification of the above referenced land to "commercial." I own property/reside on the corner of Wilma Avenue and Cindy Circle in Gentles Subdivision, which is near the referenced land.

"Commercial" as defined by the Kenai Borough Code of Ordinances encompasses a wide range of facilities with no limit on size, including hotels and camper parks.

I am worried that a commercial operation on the relatively large tracts of land in question could greatly increase vehicle traffic in the neighborhood. A more suitable classification would be "residential," as all of the adjacent land is classified by the borough as such.

Thank you for your consideration.

Sincerely,



Heather MacQuarrie

Re.

Tracts 1 & 2 Exit Glacier
Subdivision No. 2
(Plot No. 2004-10)

KPB

JUL 15 2005
PLANNING DEPT.

PO Box 3646
Seward, AK 99664
July 8, 2005

(It is cooler & less moist, more humid.)

I previously mailed in comments but since then thought of something else.

When walking, riding along Old Exit Glacier I always notice a distinct difference in the temperature as I cross the second little bridge on the way in. I think this is important because it speaks to the ecology of our forest. The change in temperature occurs right at the edge of the land being considered for reclassification. The change to commercial and/or residential will undoubtedly bring construction, removing trees, alders & years of undergrowth which will bring more humans & vehicle traffic. All of this will raise the temperature in this area, directly contributing to speeding global warming. I know this a relatively small area but why must we contribute to the problem by changing another area already "preserved"?

Doesn't preserved mean preserved? Must we keep revisiting this? Can't it just be preserved once & for all? Or should the classification of "preserved" be changed to "in case we change our minds" or "until something better comes along (for the right price)"?

Thank you again for your time,
attention & consideration to this
matter. Perhaps you could take
a walk along the road to feel
what I do.

Sincerely -
Gabrielle A. Burkham