

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2015-35

A RESOLUTION TO DEFINE THE TERM "WATER DEPENDENT"
AS IT APPEARS IN KPB 21.18.081(D)(4)

WHEREAS, KPB Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and

WHEREAS, KPB 21.18.081(B) sets forth the uses and structures within the Habitat Protection District allowed through a conditional use permit; and

WHEREAS, KPB 21.18.081(D) sets forth the general standards which must be met before a conditional use permit may be granted; and

WHEREAS, KPB 21.18.081(D)(4) requires that the proposed use or structure be water dependent; and

WHEREAS, defining the term water dependent will provide for consistency in the analysis of permit applications and approval of permits;

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

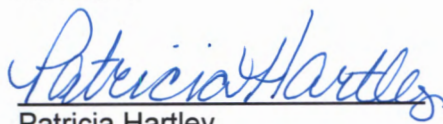
Section 1. That the Planning Commission defines the term water dependent as a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways.

Section 2. That this Resolution becomes effective immediately upon adoption.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON
THIS 9 DAY OF November 2015.


Blair J. Martin, Chairperson
Planning Commission

ATTEST:


Patricia Hartley
Administrative Assistant