

Introduced by: Mayor
Date: 10/12/21
Hearing: 10/26/21
Action: Enacted as Amended
Vote: 8 Yes, 0 No, 0 Absent, 1 Abstention

**KENAI PENINSULA BOROUGH
ORDINANCE 2021-36**

AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOCUMENT REFERRED TO AS THE “COMPREHENSIVE PLAN FOR MOOSE PASS, 1993” REGARDING MUNICIPAL ENTITLEMENT LAND KNOWN AS KENAI AREA PLAN UNIT 380G(1).

WHEREAS, the Kenai Peninsula Borough (“borough”) has selected lands owned by the State of Alaska within Moose Pass through the State of Alaska municipal entitlement program, under AS 29.65, administered by the Alaska Department of Natural Resources; and

WHEREAS, the borough has received a Final Finding and Decision (“FFD”) dated February 24, 2015 wherein final determinations for some of its municipal entitlement selections within the Moose Pass area were provided; and

WHEREAS, five tracts of land selected by the borough referred to as Kenai Area Plan Unit 380G(1) (“Unit 380G(1)”), containing approximately 80 acres, were conditionally approved by the state for conveyance to the borough once specific area plan amendments concerning future use and management of the lands had been adopted; and

WHEREAS, the conditions of approval required in the FFD for conveyance of the selected parcels required the borough to extend the deadline to February 24, 2022; and

WHEREAS, the Unit 380G(1) lands, conditionally approved for conveyance, are within the geographic area of the Moose Pass planning area; and

WHEREAS, the document titled “Comprehensive Plan for Moose Pass, 1993” as amended is incorporated as an element of the 2019 comprehensive plan under KPB 2.56.007(B); and

WHEREAS, on August 9, 2016, Resolution No. 2016-045 was adopted Classifying Unit 380G(1) and other certain conditionally approved lands referenced in the FFD as “Recreational”; and

WHEREAS, a plan amendment has been prepared to describe the conditionally approved Unit 380G(1) and provide management strategies to protect the view shed and anadromous waterbodies associated with these lands; and

WHEREAS, the amendment language to said plan as provided has received preliminary approval by the state as being acceptable to satisfy all remaining conditions required for conveyance of Unit 380G(1); and

WHEREAS, the Moose Pass Advisory Planning Commission at its regularly scheduled meeting of October 7, 2021 recommended approval of the amended plan; and

WHEREAS, The Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting on October 11, 2021 recommended approval as amended by unanimous vote of the amended plan;

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

SECTION 1. That the assembly amends the “Comprehensive Plan for Moose Pass, 1993” to include the following:

An amendment to the plan entitled “Comprehensive Plan for Moose Pass, 1993” regarding municipal entitlement land known as Kenai Area Plan Unit 380G(1) October 2021.

SECTION 2. That pursuant to KPB 2.56.007 the document known as “Comprehensive Plan for Moose Pass, 1993” as amended is an element of the 2019 Kenai Peninsula Comprehensive Plan.

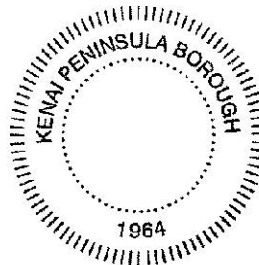
SECTION 3. That this ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 26TH DAY OF OCTOBER, 2021.


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None
Abstention: Ecklund