



# **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

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**MIKE NAVARRE  
BOROUGH MAYOR**

## **MEMORANDUM**

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Mike Navarre, Borough Mayor *MN*

**FROM:** Max Best, Planning Director *MB*

**DATE:** December 1, 2016

**SUBJECT:** Ordinance 2016-42; Adopting Imagine Kenai 2030 as the Official Comprehensive Plan for that portion of the Borough within the Boundaries of the City of Kenai.

The Kenai Peninsula Borough Planning Commission reviewed the subject ordinance during their regularly scheduled November 28, 2016 meeting.

A main motion passed by unanimous consent to recommend approval of Ordinance 2016-42, An ordinance adopting Imagine Kenai 2030 as the official comprehensive plan for that portion of the borough within the boundaries of the City of Kenai.

An amendment motion passed by unanimous consent to include the recommended revisions by staff as cited in the revised memorandum.

In the Ordinance, please make the following amendment to the last WHEREAS statement:

*WHEREAS, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of November 28, 2016 recommended approval by unanimous consent of the revised comprehensive plan.*

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F.

PUBLIC HEARING

- 5. Ordinance 2016-42; Adopting Imagine Kenai 2030 as the Official Comprehensive Plan for that portion of the Borough within the Boundaries of the City of Kenai.

Staff Report given by Bruce Wall

PC Meeting: November 28, 2016

The City of Kenai and borough staff have been working on some minor technical revision to the plan documents that will provide additional clarity.

Below are a few recommended changes to the comprehensive plan. Many of them are typographical corrections. There were some items that borough staff felt was important to add clarity to the document concerning the role between the City and the Borough and the authority that has been delegated to the cities and the role of the City Planning Commission and the Borough.

Page	Recommended Changes to the Proposed	Reason for Change
1	While the Borough retains authority for ultimate planning powers, it has delegated authority to the City to adopt land use plans, <u>amendments</u> and to enact and enforce zoning and land use regulations.	This change clarifies that KPB Ordinance 90-31 delegates authority to adopt land use plan amendments. The Borough retains authority to adopt.
3	Appendix A, includes the link to the City of Kenai Website which contains the draft 2013 <del>2013</del> City of	Typographical error correction.
6	With this delegation, the City of Kenai assumed the authority to enact and enforce zoning and land use regulations <del>and to adopt a comprehensive plan.</del>	This change clarifies that KPB Ordinance 84-40 delegates authority to adopt land use regulations. The Borough retains authority to adopt comprehensive
6	The Commission advises the Kenai Peninsula Borough Planning Commission on: City of Kenai Comprehensive Plan amendments; <del>Rezoning of land</del> ; Proposed subdivision plat; and Petitions for right-of-way and easement vacations.	The City of Kenai P&Z Commission does not advise the Borough on rezones.
6	<del>April 2011 Public Meeting on Comprehensive Plan</del>	Remove the caption without a photo.
8	<del>"The Kenai Peninsula Borough Coastal Management Plan is no longer enforceable because the Alaska Coastal Management plan terminated on July 1, 2011."</del>	The KPB Coastal Zone Management Plan is still enforceable.
16	In March-April 2016, the City of Kenai administration made revisions to the plan and submitted the updated version for review to the Planning & Zoning Commission and was approved <del>the plan</del> by Resolution PZ16-06 on April 13, 2016.	Typographical error correction.
19	To further combat erosion the City of Kenai and the Kenai Peninsula Borough required the identification of a setback of 50 feet from the top of the <del>slop</del> slope for septic systems.	Typographical error correction.
20	The City of Kenai Fire Department and State Forestry <del>responded to cooperatively</del> responded to these fires.	Typographical error correction.
23	In addition, the citizens of Kenai have access to college courses at the Alaska Vocational Technical Center (AVTEC) which is located In Seward as well as Kenai Peninsula College (KPC) which is located within the <del>unincorporated area of Soldotna.</del>	KPC is located within the City limits of Soldotna.
23	Student can take courses through the University of Alaska, Anchorage, Fairbanks or South-east while attending KPC ...	Typographical error correction.
80	Update the subdivision code to include site design standards, requirements for the <del>retention of</del> reservation of open space and parks in new subdivisions.	Typographical error correction.
86	<del>Criteria for siting parks and recreational facilities — accessible, safe, parking.</del>	Remove unintended text.

Staff recommends that the Planning Commission make the following changes prior to forwarding the document to the Assembly.

END OF STAFF REPORT

Chairman Martin opened the meeting for public comment.

1. Matt Kelly, Kenai City Planner, 210 Fidalgo Ave, Kenai  
 Mr. Kelly was available to answer questions. He spoke about the hearing process that the City went through. There were a number of Town Hall meetings that were held at the Kenai Senior Center. Also there was a business meeting with the Chamber of Commerce and members of the business community that was held at the Kenai Visitors and Cultural Center. Those meetings were held on March 23, April 16, 21 and May 10, 2016. The Planning & Zoning Commission held a number of work sessions on May 17, 31 and June 23, 2016. They received public comments from the public on the comprehensive plan on July 13, 2016. He stated they worked with their consultant, Benson Planning Associates to make edits to the plan that came up as a result of those meetings. The plan was revised and brought to the City Council for approval. By Ordinance, the City Council approved the comprehensive plan and was recommending it to the Kenai Peninsula Borough. Mr. Kelly understood that the Kenai Peninsula Borough Assembly has introduced the ordinance and looking for the Borough Planning Commission recommendation. He stated that the Assembly will be holding a public hearing on January 3, 2016.

Chairman Martin asked if there were questions for Mr. Kelly. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

**MAIN MOTION:** Commissioner Glendening moved, seconded by Commissioner Isham to recommend approval of Ordinance 2016-42, An ordinance adopting Imagine Kenai 2030 as the official comprehensive plan for that portion of the borough within the boundaries of the City of Kenai.

Commissioner Foster stated that he read it and liked it and thought it was a clean plan.

Commissioner Carluccio asked if an amendment needed to be made to include the revisions recommended by staff. Mr. Wall replied yes, it should be part of the motion for clarify of the record.

**AMENDMENT MOTION:** Commissioner Glendening moved, seconded by Commissioner Isham to include the recommended revisions by staff as cited in the revised memorandum.

**AMENDMENT VOTE:** The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND ABSENT	ERNST YES	FOSTER YES	GLENDENING YES	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY ABSENT		10 YES 2 ABSENT

**MAIN MOTION VOTE:** The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND ABSENT	ERNST YES	FOSTER YES	GLENDENING YES	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY ABSENT		10 YES 2 ABSENT

~~AGENDA ITEM G. ANADROMOUS WATERS HABITAT PROTECTION (KPB 21.18) - None~~

~~AGENDA ITEM H. VACATIONS NOT REQUIRING A PUBLIC HEARING – None~~

~~AGENDA ITEM I. SPECIAL CONSIDERATIONS – None~~

~~AGENDA ITEM J. SUBDIVISION PLAT PUBLIC HEARINGS~~



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**MIKE NAVARRE**  
**BOROUGH MAYOR**

## MEMORANDUM (Revised)

**TO:** Blair Martin, Planning Commission Chairman  
 Kenai Peninsula Borough Planning Commission Members

**FROM:** Bruce Wall, Planner *BW*

**DATE:** November 18, 2016

**SUBJECT:** Ordinance 2016-42 An Ordinance adopting Imagine Kenai 2030 as the official comprehensive plan for that portion of the borough within the boundaries of the City of Kenai.

The City of Kenai and borough staff have been working on some minor technical revision to the plan documents that will provide additional clarity. Staff recommends that the Planning Commission make the following changes prior to forwarding the document to the Assembly.

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