

E. NEW BUSINESS

- 4. Ordinance 2022-XX: An ordinance amending KPB 21.02 regarding Advisory Planning Commissions, establishing an advisory planning commission in the Nikiski area.**

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor *CP*

FROM: Robert Ruffner, Director of Planning *RR*

DATE: August 11, 2022

RE: Ordinance 2022-____, Amending KPB Chapter 21.02 to Establish an Advisory Planning Commission in the Nikiski Area (Mayor)

The Kenai Peninsula Borough ("Borough") has established advisory planning commissions ("APCs") in several communities throughout the Borough, including in Hope, Moose Pass, Cooper Landing, Anchor Point, and Funny River. These APCs provide residents with an opportunity to participate in land use planning activities proposed for their communities and to provide recommendations to the KPB Planning Commission on land use planning and public land management issues, which may affect the existing and/or future character of their communities.

The Borough Planning Department ("Planning Department") received a letter of interest and a petition requesting that an APC be created in the Nikiski area pursuant to KPB 21.02.030. The Planning Director held a community meeting to discuss the proposed boundaries of the APC as KPB 21.02.040(B) requires. At the community meeting, the Planning Department suggested smaller boundaries because it has some concerns about the petitioned size and the ability to meaningfully represent such a large area, Particularly the west side of Cook Inlet. However, there was unanimous support at the meeting to include the entire area as it mirrors existing service areas. Thus, in the packet are two maps with different proposed boundaries from which the Assembly may choose. The petitioned map and legal description are presented in the ordinance. If the Assembly chooses to set boundaries, which do not include the west side, the Planning Department can further develop the legal description following the alternative map and prepare a substitute ordinance.

The petitioned boundaries encompass approximately 3,500,000 acres; the alternative the Planning Department presented during the community meeting is similar in size to other APCs, approximately 307,400 acres. Both options have pros and cons.

Once the APC is codified, the mayor will appoint seven residents to the APC within 90 days of the adoption of this ordinance. These appointments will be presented to the Assembly for confirmation.

Your consideration is appreciated.

Introduced by:	Mayor
Date:	08/23/22
Hearing:	09/20/22
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-XX**

**AN ORDINANCE AMENDING KPB CHAPTER 21.02 TO ESTABLISH AN ADVISORY
PLANNING COMMISSION IN THE NIKISKI AREA**

- WHEREAS,** the assembly has previously created local advisory planning commissions (“APCs”) within the Kenai Peninsula Borough (“KPB”) for the purpose of providing recommendations to the KPB Planning Commission on land use planning and public land management issues which may affect the existing and/or future character of their communities; and
- WHEREAS,** Goal 2 of the 2019 KPB Comprehensive Plan is to “Proactively manage growth to provide economic development opportunities on the Kenai Peninsula Borough while preserving what residents and visitors value about the area’s natural features”; and
- WHEREAS,** Goal 2, Objective E states, “Actively work with interested communities outside of the incorporated cities to help develop locally-driven community plans and Strategy 4: Near-Term: Encourage unincorporated communities to engage with their established local Advisory Planning Commission (“APC”) and encourage establishment of new APCs for communities not currently represented”; and
- WHEREAS,** a petition, signed by over 20 qualified voters who are residents within the proposed boundaries of the Nikiski APC, has been received by the KPB Clerk requesting the formation of an APC in the Nikiski community; and
- WHEREAS,** on July 19, 2022, the KPB Planning Director held a community meeting to discuss the proposed boundaries of the Nikiski APC; and
- WHEREAS,** the petitioned area of interest is 3,500,000 acres as the proposed boundaries of the Nikiski APC and the KPB Planning Department has indicated that additional community input is needed for the effective management of these lands; and
- WHEREAS,** at its meeting held on _____, the KPB Planning Commission recommended _____;

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

SECTION 1. That the Kenai Peninsula Borough Code of Ordinances is hereby amended by adding a new section to be numbered 21.02.230, which shall read as follows:

21.02.230. Nikiski Advisory Planning Commission.

An advisory planning commission is established for the community of the borough known as Nikiski with boundaries as follows:

Commencing at the township line between T5N and T6N R17W S.M., and the mean high water line on the westerly shore of Cook Inlet;

Thence westerly along the township line between T5N and T6N to the westerly boundary of the Kenai Peninsula Borough;

Thence northerly and easterly along the boundary of the Kenai Peninsula Borough through Cook Inlet to the protracted northeast corner of T11N R5W in Turnagain Arm;

Thence southeasterly to the intersection of the southerly mean high water line of Turnagain Arm and the 150th meridian west of Greenwich within T10N R4W S.M.;

Thence southerly along the 150th meridian to the township line between T8N and T9N R4W;

Thence westerly along the township line between T8N and T9N to the northwest corner of T8N R9W S.M.;

Thence southerly along the range line between R9W and R10W to the southeast corner of T6N R10W S.M.;

Thence westerly along the township line between T5N and T6N to the southeast corner of Section 32 T6N R10W;

Thence northerly along the section line between Sections 32 and 33 to the northeast corner of Section 32;

Thence westerly along the section line to the northwest corner of Section 31 T6N R10W on the corporate boundary of the city of Kenai;
Thence northerly and westerly along the corporate boundary of the city of Kenai to the intersection with the mean low water line of Cook Inlet and the section line between Sections 23 and 26 T6N R12W S.M.;

Thence westerly along the section line extended three miles into Cook Inlet;

Thence southwesterly to the protracted southeast corner of T6N R14W in Cook Inlet;

Thence westerly along the protracted township line between T5N and T6N to the mean high water line on the westerly shore of Cook Inlet the true point of beginning.

SECTION 2. That this ordinance shall be effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
_____.

Brent Johnson, Assembly President

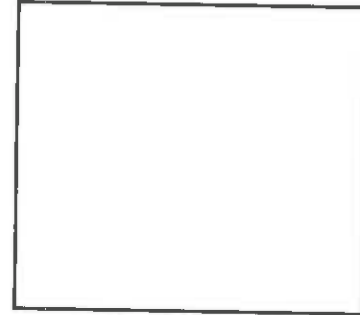
ATTEST:

Johni Blankenship, MMC, Borough Clerk

**Summary statistics for all Advisory Planning Commissions compared to Nikiski
as petitioned and an Alternative**

Advisory Planning Commission	Acreage
MOOSE PASS	208,029
ANCHOR POINT	81,946
SUNRISE	2,477
HOPE	1,505
COOPER LANDING	177,177
FUNNY RIVER	14,000
KACHEMAK BAY	262,776
KALIFORNSKY (inactive)	45,790
Nikiski (Petitioned/ Proposed)	3,500,894
Nikiski alt.	307,410

Petition of Interest
Kenai Peninsula Borough
Planning Department



FOR OFFICIAL USE ONLY

144 North Binkley Street
Soldotna, Alaska 99669-7599

Phone: (907) 714-2200
Fax: (907) 714-2395

Submission Deadline: August 10, 2022 (to be completed by KPB staff)

This form is intended to establish interest in the creation of an advisory planning commission in the area of the Kenai Peninsula Borough commonly known as:

Nikiski

The "letter of interest" submitted to the Mayor on May 5, 2022 designated Camille Broussard, 52557 Geraldine St, Kenai, Alaska, 99611 as the coordinator.

The petition deadline is 90 days from the date this form is sent to the coordinator. Sent on: 5/10/2022
(to be completed by KPB staff)

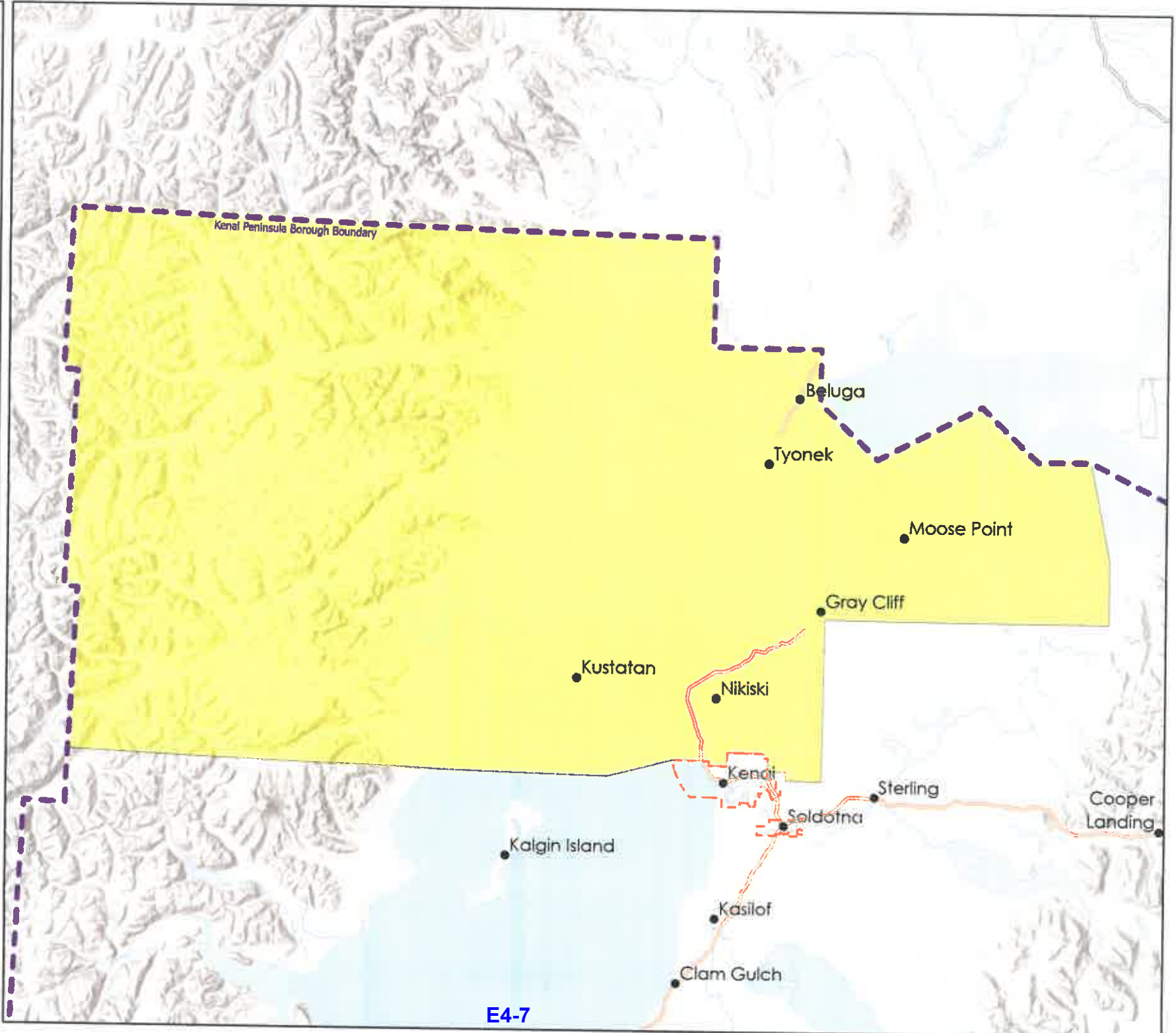
The proposed boundary is provided on the **attached map** and is described as: _____

NIKISKI FIRE SERVICE AREA - PLEASE SEE ATTACHED DESCRIPTION

KPB 21.02.030



Proposed
Boundary of
Nikiski
Advisory
Planning
Commission



The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

16.12.010. - Established—Boundaries.

There is established a service area within the borough designated the "Nikiski Fire Service Area," including that portion of the borough described as follows:

Commencing at the township line between T5N and T6N R17W S.M., and the mean high water line on the westerly shore of Cook Inlet;

Thence westerly along the township line between T5N and T6N to the westerly boundary of the Kenai Peninsula Borough;

Thence northerly and easterly along the boundary of the Kenai Peninsula Borough through Cook Inlet to the protracted northeast corner of T11N R5W in Turnagain Arm;

Thence southeasterly to the intersection of the southerly mean high water line of Turnagain Arm and the 150th meridian west of Greenwich within T10N R4W S.M.;

Thence southerly along the 150th meridian to the township line between T8N and T9N R4W;

Thence westerly along the township line between T8N and T9N to the northwest corner of T8N R9W S.M.;

Thence southerly along the range line between R9W and R10W to the southeast corner of T6N R10W S.M.;

Thence westerly along the township line between T5N and T6N to the southeast corner of Section 32 T6N R10W;

Thence northerly along the section line between Sections 32 and 33 to the northeast corner of Section 32;

Thence westerly along the section line to the northwest corner of Section 31 T6N R10W on the corporate boundary of the city of Kenai;

Thence northerly and westerly along the corporate boundary of the city of Kenai to the intersection with the mean low water line of Cook Inlet and the section line between Sections 23 and 26 T6N R12W S.M.;

Thence westerly along the section line extended three miles into Cook Inlet;

Thence southwesterly to the protracted southeast corner of T6N R14W in Cook Inlet;

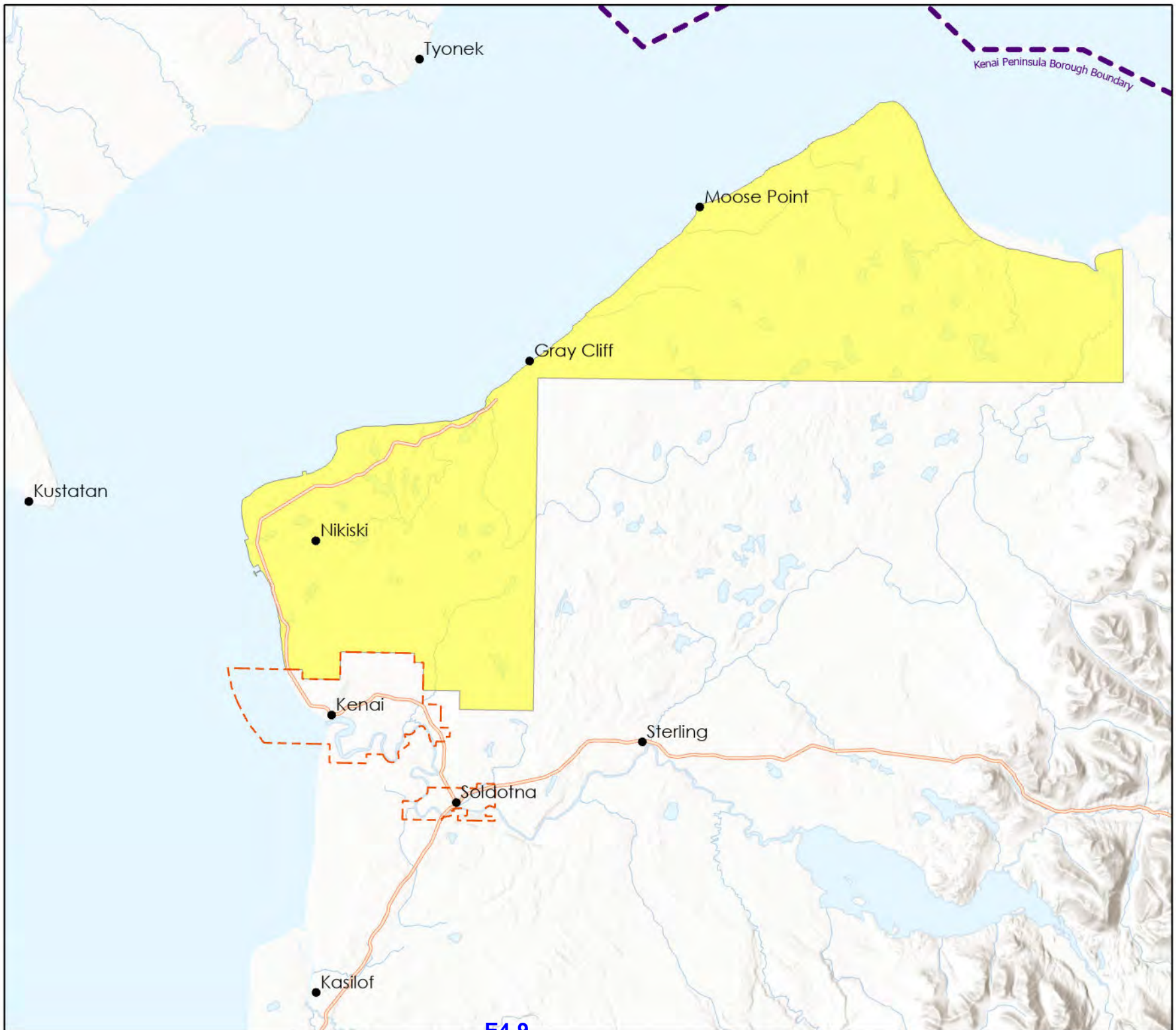
Thence westerly along the protracted township line between T5N and T6N to the mean high water line on the westerly shore of Cook Inlet the true point of beginning.

(Ord. No. 93-29, § 1(part), 1993; Ord. No. 82-13, § 1, 1982; Ord. No. 77-59 (part), 1977; Ord. No. 74-55, § 1(part), 1974; Ord. No. 69-13, § 1(part), 1969; Ord. No. 69-12, § 1(part), 1969; KPC § 27.25.020(a))




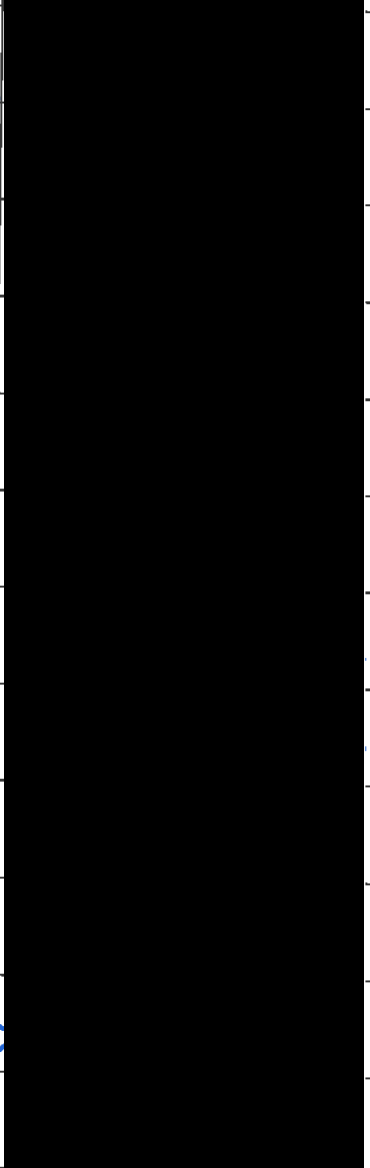

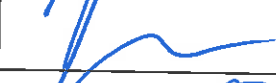








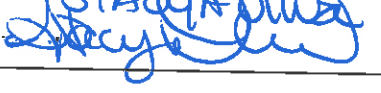

Proposed
Boundary of
Nikiski
Advisory
Planning
Commission:

Alternative
Option




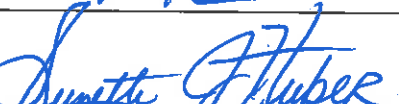











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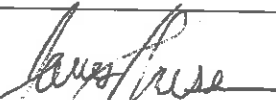










Petition of Interest to Form an Advisory Planning Commission

	Printed Name	Signature	Residence Address	Verifier Voter Number, Date of Birth or Last 4 SSN
1.	Heidi Covey		49690 Two James Ave	
2.	JASPER COVEY		49690 two James ave	
3.	John Quirk		46865 Lake St	
4.	Amber Douglas		51345 Earl Dr	
5.	Jonathan Douglas		51345 Earl Dr.	
6.	Jakelynn Oliva		51155 Island Lake Rd	
7.	Ryann Broussard		52957 Gertrude St	
8.	Daniel L. Gregory		47581 ^{Douglas} LANE	
9.	Joanne Hardesty		48271 Wild Rose Lane	
10.	WAYNE OBLIZ		51535 BLOCKADE GLACIER R.	
11.	Michael A Peet		53687 Ray Ct	
12.	STACY OLIVER 		52360 SARAIT JANE ST NIKISKI 29685	


Petition of Interest to Form an Advisory Planning Commission

	Printed Name	Signature	Residence Address	Verifier Voter Number, Date of Birth or Last 4 SSN
13.	Kyle Rogers		52835 Craig ST	
14.	Marissa Rogers		52835 Craig ST	
15.	Suzette Huber		59368 Kenai Spur Hwy	
16.	Paul Huber		59368 KENAI SPUR	
17.	Gordon Huber		59368 Kenai Spur Hwy	
18.	Bo Wheeler		c. 43640 Kenai Spur Hwy	
19.	Scott Rucker		52092 Merrill Ave.	
20.	Camille Broussard		52557 Geraldine St.	
21.	Amanda Abel		52890 Kingery Rd	
22.	Warren Huber		59368 Kenai Spur Hwy	
23.	Taylor Melch		53080 Tenakee Loop Nikiski AK	
24.	Briana Wuzgla		50138 McClatchy Hwy Kenai/Nikiski 99611	

Petition of Interest to Form an Advisory Planning Commission

	Printed Name	Signature	Residence Address	Verifier Voter Number, Date of Birth or Last 4 SSN
25.	Margaret Cress		51650 Josie St Kenai, AK 99611	
26.	James Cress		51650 Josie St Kenai, AK 99611	
27.	Jeffrey Lattatt		51237 Holt Lamplight Rd N. NIKISKI, AK 99635	
28.	Rose Lattatt		51237 Holt Lamplight Rd, NIKISKI, AK 99635	
29.	Steve Henry		50941 Kenai Spur Hwy Kenai 99611 AK	
30.	SCOTT LARSON		52090 MARIE AVENUE KENAI, AK 99611	
31.	Tamara Larson		52090 Marie ave	
32.	Breanna Cooper		49735 Kotsina ave	
33.	Corin Cooper		49735 Kotsina St.	
34.	Constance Nicks		46180 Birch Lane	
35.	Tiffany Wilkes		50192 Silverspring Ln	
36.	Matthew Tirado		50941 Kenai Spur Hwy #	

Petition of Interest to Form an Advisory Planning Commission

	Printed Name	Signature	Residence Address	Verifier Voter Number, Date of Birth or Last 4 SSN
37.	Ameze Carpenter	Ameze Carpenter	51540 Eagle Ave Kenai/NIKISKI	
38.	Ben Carpenter	[Signature]	51540 Eagle Ave Kenai/NIKISKI	
39.	Casey McClure	Casey [Signature]	52101 Lucille dr Kenai/NIKISKI	
40.	Beau Broussard	[Signature]	52189 Lucille Dr 99611	
41.	Alexa McClure	[Signature]	52211 Lucille dr Kenai AK 99611	
42.	Michael Broussard	Michael Broussard	52211 Lucille dr Kenai	
43.	Bonnie L. Wuerger	Bonnie L. Wuerger	50138 McGahan Ridge Trl Kenai/NIKISKI 99611	
44.	STEVEN R. WUERGLER	[Signature]	50138 MCGAHAN RIDGE TRI KENAI/NIKISKI 99611	
45.	Leah M. Jackson	Leah M. Jackson	52500 Leah St. Kenai, AK 99611	
46.	Tony D. Jackson	[Signature]	52500 Leah St Kenai AK 99611	
47.				
48.				

From: Camille Broussard <chuber907@gmail.com>

Sent: Thursday, May 05, 2022 12:41 PM

To: Wastell, Pam <pwastell@kpb.us>; Pierce, Charlie <CPierce@kpb.us>

Cc: john@empireconsulting.co

Subject: <EXTERNAL-SENDER>Letter of Interest for Nikiski Advisory Planning Commission

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Good Afternoon Mayor Pierce,

I am interested in creating an advisory planning commission in Nikiski with the proposed boundary area being the established Nikiski Fire Service Area. As per code 21.02.030 this represents the letter of interest. I also volunteer to be the coordinator for this effort. I look forward to working with you and receiving the documents for the petition.

Thank you,

Camille Broussard

907-420-4973