

Introduced by: Johnson
Date: 06/21/16
Hearing: 07/26/16
Action: Postponed to 08/23/16
Vote: 8 Yes, 0 No, 1 Absent
Date: 08/23/16
Action: Amended by Substitute
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2016-25**

**AN ORDINANCE AMENDING KPB 2.40.010 TO REDUCE PLANNING
COMMISSION MEMBERSHIP**

- WHEREAS,** AS 29.40.020(a) requires that planning commission membership be apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough; and
- WHEREAS,** all members are subject to appointment by the mayor and confirmation by the assembly, provided that members from home rule or first class cities must be selected by the mayor from a list of recommendations submitted by the city council; and
- WHEREAS,** KPB 2.40.010 currently provides that the planning commission shall include one member from each first class or home rule city of the borough, which is not required by statute, and that the number of remaining members from areas in the borough outside such cities must comply with the statutorily required apportionment; and
- WHEREAS,** based upon the 2010 US Census figures, the commission would have to be increased by either one or two members to satisfy the statutorily required apportionment figures if the planning commission continues to include one member from each first class or home rule city of the borough; and
- WHEREAS,** it is not in the best interest of the borough to further increase the number of members appointed to the planning commission; and
- WHEREAS,** the KPB School Board is composed of nine members; and
- WHEREAS,** the KPB Assembly is composed of nine members; and
- WHEREAS,** at its meeting of June 13, 2016 the planning commission recommended _____;

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

SECTION 1. That KPB 2.40.010 is hereby amended as follows:

2.40.010. Membership—Apportionment.

In accordance with AS 29.40.020(A):

A. The planning commission shall consist of [A MAXIMUM OF THIRTEEN] nine members including [ONE MEMBER FROM EACH] three members from the first class [OR] and home rule [CITY] cities of the borough and the remainder apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough. The members from the first class or home rule cities of the borough [ARE] shall be appointed as follows:

- [1. KENAI
2. SOLDOTNA
3. SEWARD
4. HOMER
5. SELDOVIA]

One member from the City of Seward, one member from either the City of Kenai or the City of Soldotna, and one member from either the City of Homer or City of Seldovia.

Members representing a city shall be selected by the mayor from a list of recommendations submitted by the city council and confirmed by the assembly.

B. One planning commissioner from outside of first class and home rule cities shall be appointed by the mayor and confirmed by the assembly from each of the following areas as generally described below and depicted in the map on file at the borough clerk's office bearing the borough seal and identified as the planning commission apportionment map approved in Ordinance [2001-29] 2016-__. The sections described in the map and below provide guidelines from which deviations are permitted consistent with the intent that commissioners reside in areas throughout the borough:

1. [6.] East Peninsula;
2. [7.] Southwest Borough;
3. [8. ANCHOR POINT/NINILCHIK] Kasilof/Ninilchik/Anchor Point;
[9. KASILOF/CLAM GULCH;]
4. [10.] Kalifornsky Beach
5. [11.] Ridgeway/Sterling/Funny River;

[12. STERLING;]
6. [13.] Northwest Borough.

SECTION 2. Transition. Existing seats of planning commission members from each area within the four new areas whose terms expire first shall not be filled.

SECTION 3. That this ordinance takes effect on August 1, 2016.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2016.**

Blaine Gilman, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

AMENDED BY SUBSTITUTE

Yes: Bagley, Cooper, Dunne, Holmdahl, Johnson, Knopp, Ogle, Gilman

No: None
Absent: Welles

AMENDED BY SUBSTITUTE