

AGENDA ITEM __. PUBLIC HEARINGS

__. Proposed Classification of Borough Lands Located in Seldovia
Pursuant to KPB Code of Ordinances, Chapter 17.10.080 and Chapter 17.10.090.

STAFF REPORT

PC Meeting May 9, 2016

Petitioners: Seldovia Sportsmen's Club

Basis for Classification: Subject land is being considered for lease for the purpose of a shooting range. Classification provides guidance for the management of borough land. KPB land must be classified prior to lease pursuant to KPB Code of Ordinances, Chapter 17.10.080. The land being considered for a recreational classification is adjacent to the Rocky Ridge Landfill facilities 1.5 miles south of Seldovia along Rocky Road. The petitioner has prepared a development plan for this land associated with an application to lease the property for shooting range facilities that describes uses consistent with a recreational land classification.

Public Notice: Public notice was published in the Homer News on April 7 and April 14, 2016. Notice was mailed to all owners and/or leaseholders of record within one mile of the land proposed for classification on March 31, 2016. The notice consisted of a cover letter, map, and a list of land classification definitions. Public comments were requested to be returned by 5:00 p.m. April 29, 2016 to be included in the Planning Commission mail-out packets and by 5:00 p.m. May 9, 2016 to be considered at the Planning Commission public hearing.

Description of Subject Land and Proposed Classification: (see attached map)

PARCEL	GENERAL LOCATION	LEGAL DESCRIPTION	ACRES	PROPOSED CLASSIFICATION
191-130-68	Seldovia	That portion of the S ½ of the SE ¼ lying east of the Rocky Road ROW dedication, Section 06, T9S, R14W, Seward Meridian, Third Judicial District, State of Alaska	29.79	Recreation

Public Comments: As of the writing of this report, twenty-five written comments were received and twelve of those are opposed to the Recreational classification. Comments expressed concern for the environment, noise, property values, and safety. Any additional comments received by the Planning Department will be presented at the Planning Commission Hearing on May 9, 2016.

Agency Review: No written comments were received from departments and applicable agencies:

Findings of Fact:

- Land Status: The Kenai Peninsula Borough has Quit Claim Deed for subject land which was purchased from the University of Alaska for solid waste handling purposes. There exists a 50 foot wide section line easement along the southern and eastern boundaries of the parcel. The parcel to the west hosts the borough's solid waste facility and has some development of a hard rock material extraction.
- General Characteristics: Subject land is undeveloped with road access from Rocky Street. The topography is hilly with ridges along the east, south and west sides and a drainageway with lower mildly sloping lands toward the midsection of the tract. The midsection contains an open wetland. This wetland area is tributary to Fish Creek which flows north through the subject parcel towards the Seldovia Lagoon. Tree cover on the parcel is dense, primarily mature spruce and fairly dense underbrush. The parcel receives some public recreational use primarily in the form of hunting and berry picking.
- Surrounding Land Use: Surrounding land use includes residential to the north and waste handling to the west. South and east are large tracts of vacant Seldovia Native Association land. No comprehensive land use plan has been developed for this area. The surrounding area is largely undeveloped.
- Surrounding Land Ownership: Surrounding land ownership includes Seldovia Native Association, Private and Kenai Peninsula Borough.
- Access: Subject land has frontage along Rocky Street its entire western boundary. The land is reportedly

traversed by snow machines and atvs from time to time. Recreational access is thought to be for hunting and berry picking.

6. Soil: Soil surveys/maps prepared by the Natural Resources Conservation Service and published on the Web Soil Survey show the subject land as a mix of Kasitsna-Nuka-Tutka complex, nearly level to hilly, and Kasitsna-Tutka complex, hilly to very steep.
7. Utilities: Subject land has no utilities on site.
8. KPB Comprehensive Plan: Goal 4.10: To encourage provision of facilities for outdoor and indoor recreational for borough residents and visitors. Objective 2: To plan for future recreational use of borough land which has recreational value. Implementation Actions: B. Establish management procedures for borough recreational land. Procedures could include lease or sale to private operators with provisions to ensure continued public use.

Analysis:

Subject land has moderately steep topography on the southeast and northwest portions of the parcel. These two ridgelines have lowlands that run between them that can accommodate the shooting ranges being proposed by the applicant as described by the applicant's proposed lease Development Plan. This lowland area also hosts a tributary of Fish Creek, Stream No. 241-11-10770-2010, which is approximately 5-8 feet wide and about 1 foot deep at base flow. An Alaska Department of Fish and Game representative has walked the property and determined that access over the stream by using bridges would minimize any potential fish passage issues. This tributary has not been cataloged anadromous.

All shooting range improvements and uses would need to be designed for safety, noise management, and avoidance of contamination to surface waters. The topography, soils, and vegetation would allow for shooting range designs that could be implemented safely, with minimal nuisance in relation to the surroundings, and avoiding contamination risks through the borough's land leasing program.

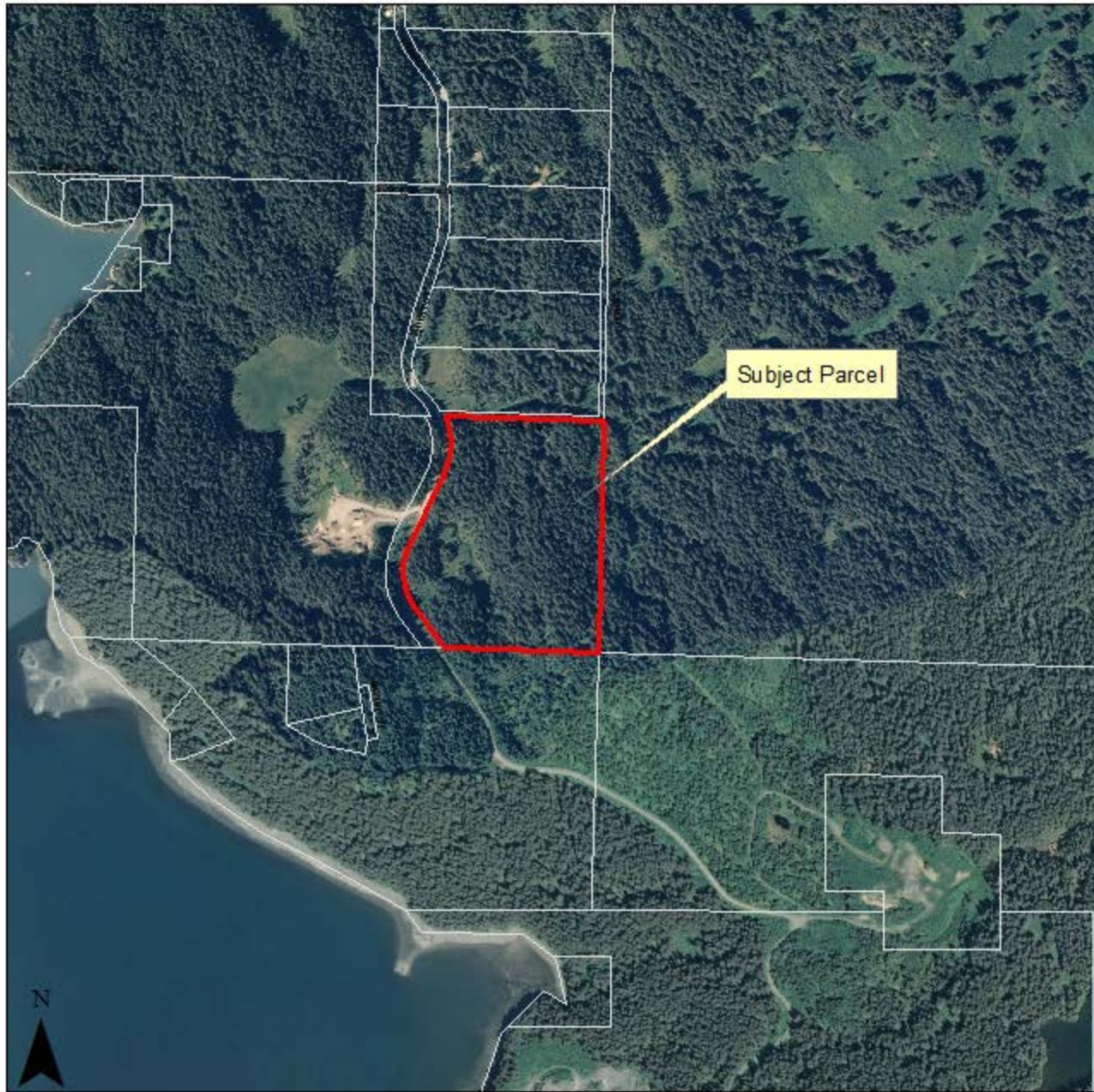
Conclusion:

Based on the findings of fact and analysis, a Recreation classification would be appropriate for the subject land and would be compatible with surrounding land uses.

STAFF RECOMMENDATION: Based on the findings of fact, analysis, and conclusion, KPB staff recommends that the KPB Planning Commission find that it is in the borough's best interest to recommend adoption of the resolution classifying subject land as Recreation with a particular objective to manage the land for a community shooting facility.


END OF STAFF REPORT

Attachment A



0 750 1,500 3,000 Feet

Proposed Classification

 Recreational

Rocky Road
Section 06, T9S, R14W
Parcel No. 119-130-68

Vicinity Map



KRS 10/2/15



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PETITION FOR CLASSIFICATION OR RECLASSIFICATION
KPB 17.10.080(F)

Classification does not imply that a parcel will be approved for sale or that the petitioner will receive right or preference to the land. A non-refundable application fee must be submitted with this form.

Petitions for reclassification of borough land in communities with an adopted land use plan will be considered biannually by the Planning Commission pursuant to Kenai Peninsula Borough (KPB) Resolution 97-084. Please contact the KPB Planning Department for dates petitions must be submitted by to be considered.

Parcel Identification Number (PIN- 8 digits): ID# 19113068

Legal Description: T 9S R 14W SEC 6 SEWARD MERIDIAN SL 0990004 THAT PORTION OF S1/2 OF THE SE1/4 LYING EAST OF ROCKY RD

Existing Classification: NONE Proposed Re-Classification: Recreational

Please explain justification for proposed (re)classification below: The Seldovia Sportsmen's Club would like to lease the land for an organized shooting facility that is very much needed in the Seldovia area.

Name of Petitioner: Seldovia Sportsmen's Club, George L. Oliveira Jr. (President)

Mailing Address: PO Box 23

City: Seldovia State: Alaska Zip: 99663

Phone: 907-399-0135 Fax: none Email: seldovia.airport@gmail.com

George L. Oliveira Jr.
 Signature

10/5/2015
 Date

**IF YOU HAVE ANY QUESTIONS REGARDING THIS APPLICATION
 PLEASE CONTACT THE LAND MANAGEMENT DIVISION**