



Kenai Peninsula Borough
Planning Department

MEMORANDUM

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

THRU: Charlie Pierce, Borough Mayor 

FROM: Max J. Best, Planning Director 

DATE: March 2, 2020

RE: Resolution 2020-⁰²⁰___; A Resolution Classifying Certain Parcels of Borough Owned Land in the Kalifornsky, Sterling, Ninilchik, Anchor Point and Homer areas.

The Kenai Peninsula Borough Planning Commission reviewed the subject Resolution during their regularly scheduled February 24, 2020 meeting.

A motion passed by unanimous consent to recommend approval of Resolution 2020-___ to classify certain parcels of borough owned land.

In addition the Kenai Peninsula Borough Planning Commission passed a motion by unanimous consent to recommend parcels 15706215, 16913228, and 16913229 be removed from the lands proposed for classification.

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

WHEREAS, the Kenai Peninsula Borough Planning Commission at its regular scheduled meeting of February 24, 2020 recommended approval by unanimous consent.

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

AGENDA ITEM G. PUBLIC HEARINGS

2. Proposed Classification of Certain Borough Land, Pursuant to KPB Code of Ordinances, Chapter 17.10.080.

Staff Report given by Marcus Mueller

PC Meeting February 24, 2020

KPB Land Management proposes to classify certain parcels of borough owned land.

Basis for Classification: Subject parcels are being considered for future disposal or lease. Classification provides guidance for the management of borough land. KPB land must be classified prior to disposal or leasing pursuant to KPB Code of Ordinances, Chapter 17.10.090.

Public Notice: Public notice was published in the Peninsula Clarion Newspaper, January 19, and 26, 2020. Public notice is sent to all land owners and/or leaseholders within a one-half mile radius of the land proposed to be classified, applicable agencies, and interested parties. The notice consists of a cover letter, map, and list of land classification definitions. Written public comments were requested to be returned by 4:00 p.m., February 13, 2020.

Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
05503159	Kalifornsky	Lot 2, Phillips Station Subdivision, as shown on Plat No. 2010-41, Kenai Recording District	0.94	*Residential
* Residential means lands suitable for development for single family or multifamily settlement of a permanent nature. Residential parcels may be located adjacent to existing communities or are determined to be necessary for future community development. Residential parcels must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, have legal access and feasible physical access, suitable terrain and appropriate with the given surrounding uses. [KPB 17.10.250(DD)]				

Overview: Located in the Kalifornsky area at the northwest corner of Phillips Street and Kalifornsky Beach Road near Mile Post 17. Utilities are available.

Findings of Fact:

- Property Status:** The Borough received title by Statutory Warranty Deed. This parcel is not classified (undesigned).
- Zoning:** Rural District pursuant to KPB 21.04.010(B).
- Topography:** Subject parcel is generally level and wooded with mostly spruce mixed with some birch and alder.
- Soil:** 100% of this parcel is classified as "Soldotna Silt Loam", sandy substratum, undulating, 0 to 4 percent slopes, well-drained with a depth to water table at more than 80 inches, not limited for dwellings without basements but very limited for septic tank absorption, based on seepage, bottom layer.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [Aug/27/2019].

(Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).

- Surrounding Land Use:** No comprehensive land use plan has been developed for this area. Kalifornsky

Beach Road abuts the southerly boundary of subject parcel. Surrounding land use includes residential and undeveloped land. Surrounding development includes single-family homes.

6. Surrounding Land Ownership: Surrounding land is primarily in private ownership with one borough owned parcel to the east.
7. Access: Access can be gained from Phillips Street. Phillips is a gravel road but is not maintained by the Borough. This road has a slight encroachment into the parcel. The road is recognized as a valid existing use. Such use can be moved upon the future relocation of the road. A 33-foot wide section-line easement also runs along the west boundary of this parcel.
8. Utilities: Gas, electric, and telephone are available.
9. Public Comment: As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. Kalifornsky Advisory Planning Commission (KAPC) Review: February 5, 2020 the KAPC held a public meeting and recommended a Residential classification.
11. Department / Agency Comments: As of the writing of this report three agencies responded with either no comment / no objection or had no issues.

Analysis:

With a developed road providing access to this parcel, suitable topography, and availability of utilities, this parcel has potential for development. And while soil conditions are favorable for dwellings, use of an engineered septic absorption system may be needed to overcome soil limitations.

Conclusions:

This parcel is surplus to borough needs. A Residential classification would be appropriate for this parcel and would be compatible with the surrounding area.

Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
06314142	Sterling	S½SE¼SE¼ lying south of Scout Lake Loop Road, Section 14, T5N, R9W, Seward Meridian, Alaska <i>Note: this parcel will be dedicated as ROW per Huske-Scout Lake Subdivision, as shown on Plat No. 2020-__, Kenai Recording (KPB Plat File #2019-127)</i>	2	*Utility/Transportation

Utility/Transportation (not including oil and gas and electricity generation or production facilities) means lands which may be of value for airports, port and harbor facilities, power lines, pipelines, utility services, rights-of-way, easements and related activities but does not include general and production facilities for oil and gas and electricity.

Overview: An irregular parcel containing an existing road and easements suitable to be primarily managed to host the road and accompanying utilities. Located in the Sterling area off of Scout Lake Loop Road.

Findings of Fact:

1. Property Status: The Borough received title by State patent. This parcel is not classified (undesignated).
2. Zoning: Rural District pursuant to KPB 21.04.010(B).

3. **Surrounding Land Use:** No comprehensive land use plan has been developed for this area. Surrounding land use includes residential and undeveloped land. Surrounding development includes single-family homes.
3. **Surrounding Ownership:** Surrounding land ownership includes private land.
4. **Access:** The entire parcel is encompassed by a Public Road Easement with access being gained from Scout Lake Loop Road. The continuation of Huske Street passes through this parcel and connects to Scout Lake Loop Road but is not dedicated over this parcel. An undeveloped 50-foot wide section-line easement runs along the east and south boundaries.
5. **Utilities:** Gas, electric, and telephone are available. This parcel is encumbered by a natural gas pipeline easement.
6. **Topography:** This parcel is relatively level and mostly forested with spruce trees.
7. **Soil:**
 49.1%± of this parcel is classified as "Kichatan Silt Loam", 8 to 15 percent slopes, well drained and has a depth to water table of more than 80 inches, somewhat limited for dwellings without basements, and very limited for septic tank absorption based on filtering capacity, seepage, depth to saturated zone, and ponding.

 31.4%± of this parcel is classified as "Soldotna Silt Loam", 0 to 4 percent slopes, well drained and has a depth to water table of more than 80 inches not limited for dwellings without basements, and very limited for septic tank absorption based on seepage, depth to saturated zone, and subsidence.

 19.5%± of this parcel is classified as "Starichkof Peat", 0 to 4 percent slopes, very poorly drained and has a depth to water table about 0 to 10 inches, very limited for dwellings without basements, and very limited for septic tank absorption based on depth to saturated zone, subsidence, flooding, ponding, and slow water movement.

 Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [9/18/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).
8. **Special Feature:** This parcel is primarily occupied by a road and road easement.
9. **Public Comments:** As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. **Department / Agency Comments:** As of the writing of this report three agencies responded with either no comment / no objection or had no issues.

Analysis:

Several factors limit the development potential of this parcel including its shape, wetlands, easements, and the existing road.

Conclusions:

This parcel is surplus to borough needs. A Utility/Transportation classification would be appropriate for this parcel.

Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
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06314145	Sterling	S½SE¼SE¼ lying north of Scout Lake Loop Road, Section 14, T5N, R9W, Seward Meridian, Alaska. <i>Note: This parcel is currently being surveyed and platted as Tract A, Huske-Scout Lake Subdivision, as shown on Plat No. 2020-___, Kenai Recording (KPB Plat File #2019-127)</i>	17	*Rural
* Rural means lands which are located in a remote area. This classification will have no restrictions.				

Overview: Large acreage parcel located in the Sterling area off of Scout Lake Loop Road. Utilities are available.

Findings of Fact:

1. Property Status: The Borough received title by State patent. This parcel is not classified (undesignated).
2. Zoning: Rural District pursuant to KPB 21.04.010(B).
3. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Surrounding land use includes residential and undeveloped land. Surrounding development includes single-family homes.
4. Surrounding Ownership: Surrounding land ownership includes private land.
5. Access: Access to this parcel is gained from Scout Lake Loop Road but may require a State driveway permit. An undeveloped 50-foot wide section-line easement runs along the south boundary.
6. Utilities: Gas, electric, and telephone are available
7. Topography: The southern portion of this parcel is relatively flat and then rises about 20 ft. near the northerly portion. The parcel is mostly forested with spruce trees
8. Soil:

49.1%± of this parcel is classified as "Kichatan Silt Loam", 8 to 15 percent slopes, well drained and has a depth to water table of more than 80 inches, somewhat limited for dwellings without basements, and very limited for septic tank absorption based on filtering capacity, seepage, depth to saturated zone, and ponding.

31.4%± of this parcel is classified as "Soldotna Silt Loam", 0 to 4 percent slopes, well drained and has a depth to water table of more than 80 inches not limited for dwellings without basements, and very limited for septic tank absorption based on seepage, depth to saturated zone, and subsidence.

19.5%± of this parcel is classified as "Starichkof Peat", 0 to 4 percent slopes, very poorly drained and has a depth to water table about 0 to 10 inches, very limited for dwellings without basements, and very limited for septic tank absorption based on depth to saturated zone, subsidence, flooding, ponding, and slow water movement.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [9/18/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).
9. Special Feature: This parcel has a history of being a local dumping location.

- 10. Public Comments: As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
- 11. Department / Agency Comments: As of the writing of this report three agencies responded with either no comment / no objection or had no issues.

Analysis:

The topography, availability of utilities, and access from Scout Lake Loop Road allow this parcel to have potential for development. Use of an engineered septic absorption system may be necessary to overcome soil limitations within certain areas of this parcel. Historical dumping that had occurred on the property needs to be properly disclosed in the event the property is disposed with opportunity given to thoroughly inspect the condition of the property.

Conclusions:

This parcel is surplus to borough needs. A Rural classification would be appropriate for this parcel and compatible with the surrounding area.

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Proposed Classification
06544043 06544044 06544045	Sterling	Lots 43, 44, 45, Block 14, Gregory Subdivision, Addition No. 6, as shown on Plat No. 74-54, Kenai Recording District. <i>Note: These parcels are currently being surveyed and platted into one lot as Gregory Sub. 2019 Replat, as shown on Plat No. 2020-__, Kenai Recording District. (KPB Plat File # 2019-134)</i>	0.93	*Rural
* Rural means lands which are located in a remote area. This classification will have no restrictions.				

Overview: Located in the Sterling area, this parcel is situated near Mile Post 80.5 of the Sterling Highway. Access is gained from June Drive. Electric utility is available.

Findings of Fact:

- 1. Property Status: The Borough received title by Clerk's Deed through tax foreclosure proceedings. This parcel is not classified (undesignated). Site inspection conducted on 10/11/19 by Land Management staff discovered three motor homes, one that is inhabited, numerous abandoned vehicles, and other miscellaneous equipment.
- 2. Zoning: Rural District pursuant to KPB 21.04.010(B)
- 3. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Surrounding land use includes residential and undeveloped land. Surrounding development is low density but includes single-family homes.
- 4. Surrounding Land Ownership: Includes private and Native land.
- 5. Topography: The topography is generally level and mostly forested with spruce.
- 6. Soil: 77.4%± of this parcel is classified as "Cohoe Silt Loam", 4 to 8 percent slopes", well drained with a depth to water table at more than 80 inches, not limited for dwellings without basements and very limited for septic tank absorption, based on seepage, depth to saturated zone, subsidence, and slow water

movement.

22.6%± of this parcel is classified as “Cohoe Silt Loam”, 8 to 15 percent slopes”, well drained with a depth to water table at more than 80 inches, somewhat limited for dwellings without basements and very limited for septic tank absorption, based on seepage, depth to saturated zone, subsidence, and slow water movement.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [10/4/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).

7. **Access:** Access is gained from June Drive, a gravel road maintained by the borough.
8. **Utilities:** Electric is available and gas is within 600 feet.
9. **Public Comment:** As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. **Department / Agency Comments:** As of the writing of this report three agencies responded with either no comment / no objection or had no issues.

Analysis:

The borough intends to plat these three parcels into one lot to conform to lot size standards under KPB Title 20. With a borough maintained road providing access to this parcel, suitable topography, and electric utility available, this parcel has potential for development. Use of an engineered septic absorption system may be necessary to overcome soil limitations.

Conclusions:

This parcel is surplus to borough needs. A Rural classification is appropriate for this parcel and is compatible with the surrounding area.

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
15706215	Ninilchik	N½N½NE¼NW¼, Section 35, T1S, R14W, Seward Meridian, Alaska	10.00	*Rural
* Rural means lands which are located in a remote area. This classification will have no restrictions.				

Overview: Located in the Ninilchik area near Mile Post 134.5 of the Sterling Highway, access is gained from the continuation of Fleetwood Avenue via a section-line easement. The Ninilchik River is about ¼ mile to the east, and the parcel is near the Ninilchik State Recreation Area. The property was originally gifted to what is now the Central Peninsula Hospital.

Findings of Fact:

1. **Property Status:** This property was a gift deeded by Warranty Deed from Edward and Wade Jackinsky to Peninsula General Hospital and subsequently deeded by Quitclaim Deed to the Kenai Peninsula Borough, Central Hospital Service Area. This parcel is not classified (undesigned).
2. **Zoning:** Rural District pursuant to KPB 21.04.010(B).
3. **Surrounding Land Use:** No comprehensive land use plan has been developed for this area. Surrounding land use includes residential, public campground, and undeveloped land. Surrounding

development is low density but includes single family homes and the Ninilchik State Recreation Area / campgrounds.

4. Surrounding Land Ownership: Includes private and State land.
5. Topography: The topography is generally level and forested with mostly spruce. Approximately 3 acres are upland situated at the westerly end of the parcel. Approximately 7 acres of Kettle and Discharge Slope wetlands cover the rest of the parcel. Kettle wetlands are typically peatlands with seasonally variable water table. Discharge Slope wetlands are typically where shallow groundwater discharges at or near the surface and typically occur at the transition between wetland and upland where the boundary can be indistinct.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

6. Soil:
57.5%± of this parcel is classified as "Starichkof and Doroshin"

The Starickof component: 0 to 4 percent slopes, very poorly drained with a depth to water table about 0 to 10 inches, very limited for dwellings and very limited for septic tank absorption, based on ponding, subsidence, depth to saturated zone, and organic matter content.

The Doroshin component: 0 to 4 percent slopes, very poorly drained with a depth to water table about 0 to 12 inches, very limited for dwellings and very limited for septic tank absorption, based on subsidence, depth to saturated zone, and organic matter content.

38.3%± of this parcel is classified as "Qutal Silt Loam", 4 to 8 percent slopes, somewhat poorly drained with a depth to water table about 20 to 30 inches, somewhat limited for dwellings and very limited for septic tank absorption, based on depth to saturated zone.

4.2%± of this land is comprised of various other soil types.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Version 15, Sept. 19, 2017

(Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).

7. Access: Access is gained from the easterly extension of Fleetwood Avenue, a gravel road and an undeveloped 50-foot wide section-line easement running along the north boundary of the parcel. The easterly boundary of this parcel abuts Nmi Street, an undeveloped road. Neither Fleetwood Avenue nor Nmi Street are borough maintained.
8. Utilities: Gas is approximately 1,200 feet away along the Sterling Highway. Electric is approximately 350 feet away from a neighboring parcel along Fleetwood Avenue.
9. Public Comment: As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. Department / Agency Comments: As of the writing of this report three agencies responded with either no comment, no objection, or no issues.

Analysis:

This parcel has a viable access with an improved gravel road, which is the continuation of Fleetwood Avenue via a section-line easement. However, poor soil conditions/capabilities make this parcel very limited for residential development. Surrounding development is low density and this parcel could accommodate a range of land uses that are rural in character. Central Peninsula Hospital interests, as a

matter of the gift-title history, should be observed in the managing the benefits from the property.

Conclusions:

This parcel is surplus to borough needs. A Rural classification would offer a range of options for land uses or development. A Rural classification is appropriate for this parcel and is compatible with the surrounding area.

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
16913228	Anchor Point	SW¼SE¼SE¼ & W¼SE¼SE¼SE¼, Section 13, T5S, R15W, Seward Meridian, Alaska	13.64	*Rural
* Rural means lands which are located in a remote area. This classification will have no restrictions.				

Overview: Located in the Anchor Point area near Mile Post 162 of the Sterling Highway. Access is gained from the Sterling Highway. Utilities are not readily available.

Findings of Fact:

1. **Property Status:** The Borough received title by State patent. This parcel is not classified (undesignated). In 2003 the borough conducted a timber sale that encompassed approximately 6 acres.
2. **Zoning:** Rural District pursuant to KPB 21.04.010(B).
3. **Surrounding Land Use:** No comprehensive land use plan has been developed for this area. Land use includes commercial and undeveloped land. Surrounding development is low density and includes an active material site and a general purpose shop/building.
4. **Surrounding Land Ownership:** Includes private, borough, and State land.
5. **Topography:** Subject land varies from level to rolling terrain. Approximately 2 acres, located in the southeast corner, are classified as "Kettle" wetlands which are peatlands that generally have a wetland or stream connection.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

6. **Soil:**
89%± of this land is classified as "Illiamna Silt Loam, 4 to 15 percent slopes, well drained with a depth to water table at more than 80 inches, somewhat limited for dwellings without basements, and very limited for septic tank absorption, based on seepage bottom layer.

11%± of this land is classified as Starichkof and Doroshin Soils

The Starichkof Component: 0 to 4% slopes, very poorly drained with a depth to water table about 0 to 10 inches, very limited for dwellings without basements and very limited for septic tank absorption, based on ponding, depth to saturated zone, and subsidence.

The Doroshin Component: 0 to 4% slopes, very poorly drained with a depth to water table at about 0 to 12 inches, very limited for dwellings without basements and very limited for septic tank absorption, based on depth to saturated zone, and subsidence.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [10/9/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and

sampling).

- 7. **Access:** Access is gained from the Sterling Highway and may require a State driveway permit. An undeveloped 50-foot-wide section-line easement runs along the south boundary of this parcel. A developed access runs through the property to adjacent state and privately owned land on which an easement should be granted.
- 8. **Utilities:** Electric is within 500 feet.
- 9. **Public Comment:**
- 10. **Anchor Point Advisory Planning Commission (APAPC) Review:** February 13, 2020 the APAPC held a public meeting and recommended a _____ classification.

As part of a comprehensive planning effort the APAPC conducted several meetings from 2001 to 2003 and on January 11, 2003 the APAPC held a special public meeting and recommended a rural classification. The recommendation from the KPB Planning Department recommended a government classification. The comprehensive planning effort was never formalized into a land use plan.

11. **Department / Agency Comments:**

Analysis:

A gravel road passes through this parcel which provides access to the adjacent material site to the north. This road is not maintained by the borough nor is it a dedicated right-of-way. With highway access and varying topography this parcel has potential for development. However, development potential is limited as electric and gas service is not readily available at this time. Soil conditions will also impact development potential as this parcel is somewhat limited for dwellings and very limited for septic tank absorption. Below grade structures are likely not suitable for this parcel. Use of an engineered above ground septic absorption system would likely be needed to overcome soil limitations as well.

Conclusions:

This parcel is surplus to borough needs. While the development potential of this parcel may be limited this parcel can still accommodate a range of land uses. Because surrounding development is low density a Rural classification is compatible with the surrounding area and would offer a range of options for land uses or development

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
16913229	Anchor Point	That portion of the E½SE¼SE¼SE¼ Section 13, T5S, R15W, Seward Meridian, Alaska, lying southwest of Sterling Highway	1.4	*Rural
* Rural means lands which are located in a remote area. This classification will have no restrictions.				

Overview: Located in the Anchor Point area near Mile Post 162 of the Sterling Highway. Access is gained from the Sterling Highway. Utilities are not readily available.

Findings of Fact:

- 1. **Property Status:** The Borough received title by Clerk's Deed through tax foreclosure proceedings and was retained for public purpose Per Ordinance 2004-15. This parcel is not classified (undesigned).
- 2. **Zoning:** Rural District pursuant to KPB 21.04.010(B).

3. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Surrounding land use includes commercial and undeveloped land. Surrounding development includes an active material site and a general purpose shop/building.
4. Surrounding Land Ownership: Includes private, borough, and State land.
5. Topography: Subject land is relatively flat. Approximately half an acre is classified as "Kettle" wetlands which are peatlands that generally have a wetland or stream connection.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

6. Soil:
82%± of this land is classified as Starichkof and Doroshin Soils

The Starichkof Component: 0 to 4% slopes, very poorly drained with a depth to water table about 0 to 10 inches, very limited for dwellings without basements and very limited for septic tank absorption, based on ponding, depth to saturated zone, and subsidence.

The Doroshin Component: 0 to 4% slopes, very poorly drained with a depth to water table at about 0 to 12 inches, very limited for dwellings without basements and very limited for septic tank absorption, based on depth to saturated zone, and subsidence.

18%± of this land is classified as "Illiamna Silt Loam, 4 to 15 percent slopes, well drained with a depth to water table at more than 80 inches, somewhat limited for dwellings without basements, and very limited for septic tank absorption, based on seepage bottom layer.

Source Data: Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [10/9/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).

7. Access: Access is gained just off the Sterling Highway from Kaiola Avenue. An undeveloped 33-foot-wide section-line easement runs along the south and east boundaries of this parcel.
8. Utilities: An overhead electric distribution line runs along the east boundary.
9. Public Comment: As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. Anchor Point Advisory Planning Commission (APAPC) Review: February 13, 2020 the APAPC held a public meeting and recommended a _____ classification.
11. Department / Agency Comments:

Analysis:

Access to this parcel is gained from Kialoa Avenue. With highway access and suitable topography this parcel has potential for development. However, development potential is limited as electric and gas service is not readily available at this time. Soil conditions will also impact development potential as it is very limited for both dwellings and septic tank absorption. Below grade structures are likely not suitable for this parcel. Use of an engineered above ground septic absorption system would likely be needed to overcome soil limitations as well. In 2004 the borough received title by Clerk's Deed through tax foreclosure proceedings and was subsequently retained for public purpose Per Ordinance 2004-15. The reason for retention was that it was adjacent to borough land. Staff no longer sees a need to retain this parcel for a public purpose as it is surplus to borough needs.

Conclusions:

This parcel is surplus to borough needs. While the development potential of this parcel may be limited this parcel can still accommodate a range of land uses. Because surrounding development is low density a Rural classification is compatible with the surrounding area and would offer a range of options for land uses or development.

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
Portion of 18521053	Homer	That portion of the SE¼SE¼SE¼NW¼ & W½NE¼ & SE¼NE¼, Section 22, T4S, R11W, Seward Meridian, Alaska, lying east of Basargin Road ROW.	70	*Resource Management
Portion of 18521053	Homer	That portion of the SE¼SE¼SE¼NW¼ & W½NE¼, Section 22, T4S, R11W, Seward Meridian, Alaska, lying east of Basargin Road ROW described as soil Map Unit 574 "Kachemak Silt Loam" as shown on the Western Kenai Peninsula Soil Survey, 2005, USDA, NRCS.	9	**Agriculture
* Resource Management means land having resources which may be extracted as an interim use in a manner which will not create a negative impact on the most appropriate use of the land. This classification is not exclusive and may overlap any other classification thereby allowing other non-conflicting uses. Resources on these lands may be sold or permitted for use.				
**Agriculture means activities that result in products for human or animal use. Agriculture activities may include raising crops, animals, or grazing animals. Agriculture does not include human habitation.				

Overview: Located in the Fox River Anchor Point off of Basargin Road in the proximity of Mile Post 19 of East End Road. Access is gained from Basargin Road. Utilities are not readily available.

Findings of Fact:

1. Property Status: The Borough received title by State Patent. This parcel is not classified (undesigned). The borough issued a land use permit to Snomads, Inc. for grooming snowmachine trails on this parcel and adjacent borough lands. This land was formerly a State grazing lease but has not been used for such purpose for many years.
2. Zoning: Rural District pursuant to KPB 21.04.010(B).
3. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Surrounding land use is predominately undeveloped with some residential use to the south and includes single family homes. The borough issued a land use permit to Snomads, Inc. for grooming snowmachine trails on subject parcel and adjacent borough parcels. A borough grazing lease was authorized on land to the southwest. A parcel to the northwest, known as the Eagle Lake Material site, was classified as Resource Development and is managed by East Road Services, Inc. through a concessionaire's agreement with the borough. The adjacent 180 acres that lies of Basargin Road is classified as agriculture per Resolution 2017-024. Subsequently the Borough received an application to lease the adjacent 180 acres for agriculture purposes. KPB is in the process of evaluating the lease application.
4. Surrounding Land Ownership: Includes borough, state, and native land.
5. Topography: Subject parcel varies with rolling to hilly terrain and ranging in elevation from 1300' to 1500'. Approximately 60 acres located at the most easterly and southerly end of the parcel (east of Basargin Road) show a mix of Kettle, Discharge Slope, Drainageway, and other wetlands. Kettle wetlands are typically peatlands with seasonally variable water table. Discharge Slope wetlands are

typically where shallow groundwater discharges at or near the surface and typically occur at the transition between wetland and upland where the boundary can be indistinct. Drainageway wetlands are typically extensive peatlands formed in relict which once drained more extensive glaciers and are frequently linear fens, with a generally stable water level close to the surface supported by ample groundwater throughflow that may support modern streams. The 200± acres lying west of Basargin Road is upland.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

6. Web Soil Survey:

Forest Productivity

Based on USDA Soil Survey information regarding forest productivity, the 70 acres could sustainably yield approximately 7 cords of wood per year.

Soil

83%± is classified as Mutnala-Starichkof-Slikok association, undulating to hilly, well drained with a depth to restricted feature at more than 80 inches, very limited for dwellings and very limited for septic tank absorption, based on several factors including slope, slow water movement, ponding, Depth to saturated zone, flooding, and subsidence.

12%± of this parcel is classified as "Kachemak Silt Loam", 8 to 15 percent slopes, well drained with a depth to water table at more than 80 inches, somewhat limited for dwellings and very limited for septic tank absorption, based on restricted permeability. 4e is the land capability classification (nonirrigated) which means soils have severe limitations that restrict the choice of plants or require very careful management, or both. Such soil shows that the main problem is the hazard of erosion unless close-growing plant cover is maintained. The susceptibility to erosion and past erosion damage are the major soil-related factors affecting the soils that are assigned this subclass letter.

Class 4e soils are among the best agricultural soils in the Homer area and are identified by the Homer Soil and Water Conservation District as Soils of Local Importance. The LESA study indicates that the agricultural potential for this land is fair and rangeland potential excellent.

5%± is classified as Typic Cryonthents, 100 to 150 percent slopes, well drained with a depth to restricted feature at more than 80 inches, very limited for dwellings and very limited for septic tank absorption, based on several factors including slope, slow water movement, and depth to saturated zone.

Source Data:

- A) Web Soil Survey, provided by the U.S.D.A. Natural Resources Conservation Service, Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [12/17/2019]. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling).
- B) Land Evaluation & Site Assessment (LESA), an agricultural study produced for KPB by the Homer and Kenai-Kasilof Soil and Water Conservation Districts, 1987.

- 7. Access: Access is gained from Basargin Road. Basargin Road is a 60-foot right-of-way established by the State of Alaska per ADL No. 63711. An undeveloped 50-foot-wide section-line easement runs along the east boundary of this parcel.
- 8. Utilities: Unavailable
- 9. Public Comment: As of the writing of this report no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing. Note: That portion of this parcel lying west of Basargin Road was

classified as agriculture per Resolution 2017-024.

10. Kachemak Bay Advisory Planning Commission (APAPC) Review: The KBAPC has been inactive for many years. As part of a comprehensive planning effort the KBAPC conducted several meetings from 2001 to 2003 and on February 7, 2002 the KBAPC held a public meeting and recommended a rural classification with a resource development overlay. The KPB Planning Department recommended a rural classification with a grazing overlay. The comprehensive planning effort was never formalized into a land use plan.

11. Department / Agency Comments:

Analysis:

This parcel has the potential to contribute to the local economy for both forestry and agriculture production. Borough Land Management recognizes that the demand for agricultural land has significantly increased over the years and continues to identify parcels with agriculture potential.

Soil information obtained from the Web Soil Survey for this parcel show the following findings:

- Potential for forestry production, i.e. 70 acres to yield approximately 7 cords of wood per year.
- Approximately 12 acres in the southwest corner would be suitable for agriculture purposes.
- Varies from somewhat limited to very limited for dwellings and very limited for septic tank absorption.

Other management findings associated with the parcel include:

- Winter use for snowmachine trailhead purposes is an important public use which should continue to be accommodated.
- This is a large acreage parcel that is accessible to the public for casual uses such as hiking, cross country skiing, berry picking, hunting, etc.

Conclusions:

Land uses for this parcel are very limited by the soil characteristics. This land contains areas that would be useful for both forestry and agriculture purposes with soil types being a determining factor. Continuing authorization for snowmachine trailhead and winter trail use is compatible with both an agricultural classification as well as a resource management classification. A resource management classification is for interim use. At this time, no classification is being proposed for any long term use other than agriculture as identified.

STAFF RECOMMENDATION: Based on the findings of fact, analysis, and conclusions that the KPB Planning Commission finds that it is in the borough's best interest to recommend adoption of Resolution 2020-___ classifying subject land as follows:

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres+/-	Classification
05503159	Kalifornsky	Lot 2, Phillips Station Subdivision, as shown on Plat No. 2010-41, Kenai Recording District	0.94	Residential
06314142	Sterling	S½SE¼SE¼ lying south of Scout Lake Loop Road, Section 14, T5N, R9W, Seward Meridian, Alaska <i>Note: this parcel will be dedicated as ROW per Huske-Scout Lake Subdivision, as shown on Plat No. 2020-___, Kenai Recording (KPB Plat File #2019-127)</i>	2	Utility/ Transportation

06314145	Sterling	S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying north of Scout Lake Loop Road, Section 14, T5N, R9W, Seward Meridian, Alaska <i>Note: This parcel is currently being surveyed and platted as Tract A, Huske-Scout Lake Subdivision, as shown on Plat No. 2020-___, Kenai Recording (KPB Plat File #2019-127)</i>	17	Rural
06544043 06544044 06544045	Sterling	Lot 43, 44, 45, Block 14, Gregory Subdivision, Addition No. 6, as shown on Plat No. 74-54, Kenai Recording District. <i>Note: These parcels are currently being surveyed and platted into one lot as Gregory Sub. 2019 Replat, as shown on Plat No. 2020-___, Kenai Recording District. (KPB Plat File # 2019-134)</i>	0.93	Rural
15706215	Ninilchik	N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, T1S, R14W, Seward Meridian, Alaska	10	Rural
16913228	Anchor Point	SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ & W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, T5S, R15W, Seward Meridian, Alaska	13.64	Rural
16913229	Anchor Point	That portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T5S, R15W, Seward Meridian, Alaska, lying southwest of Sterling Highway	1.4	Rural
Portion of 18521053	Homer	That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ & W $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, T4S, R11W, Seward Meridian, Alaska, lying east of Basargin Road ROW.	70	Resource Management
Portion of 18521053	Homer	That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ & W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 22, T4S, R11W, Seward Meridian, Alaska, lying east of Basargin Road ROW described as soil Map Unit 574 "Kachemak Silt Loam" as shown on the Western Kenai Peninsula Soil Survey, 2005, USDA, NRCS.	9	Agriculture

It is further recommended that any proceeds from the sale of Assessor Parcel No. 15706215 benefit Central Peninsula Hospital.

END OF STAFF REPORT

Mr. Mueller added that classifications guides are about guiding the management of borough land.

There was discussion at the Anchor Point Advisory Planning Commission meeting about the 13 acre parcel in Anchor Point. It was stated that this use to be an old gravel pit and shooting range. The Kachemak Gun Club was previously active in this area and there are no records if they were active on the property. Indications when looking at the Kenai Area Plan is that the gravel pit and gun range use was on the State property to the north. Staff is working on verifying the information. He felt that since it was part of the 2003 timber sale that there was forest and probably not a gravel pit there.

Chair Martin opened the meeting for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Bentz moved, seconded by Commissioner Whitney, to forward to the Assembly a recommendation to adopt Resolution 2020-___ to classify certain parcels of borough owned land.

Commissioner Bentz asked staff what other classifications are available for utilization by the department.

Mr. Mueller listed a few: agriculture, grazing, resource development, resource management, institutional, commercial, government, residential, preservation, utility and transportation. He said there are a total of thirteen.

Commissioner Bentz wanted to discuss the parcel in Anchor Point that is along the Sterling Highway. She had read that a large percentage of that area is poorly drained wetlands. She was thinking about the earlier presentation and the capabilities of peat wetlands to process metals. If there was a gun range next to this, she did not want to encourage people to develop a property that is serving a natural infrastructure function. She was thinking about a recommendation for parcel 16913228 to be preservation. Parcel 15706215 in Ninilchik is almost entirely poorly drain soils and is adjacent to a lot of DNR conservation and State recreation areas. When looking at that parcel and the surrounding uses it seems it may be more appropriate for a preservation classification.

Commissioner Bentz said it was encouraging to see the agriculture classification and renewable resource options for the last parcel. It is good to see some of the agriculture initiative work coming to fruition.

Commissioner Bentz wanted to know if staff had any feedback on her comments about preservation status for some of the parcels. Mr. Mueller said it could be looked at by soil type. A parcel could be looked at and see if there are multiple management areas to be had by way of soil types. If there was a suggestion to divide the property based on soils and then preserve either through retention or deed restriction, it could be done because those are some management tools that are available. It does not have to be all or none. There are tools that will help achieve the desired outcomes.

Chair Martin was also looking at parcel 16913228. He felt that if the timber sale and the peat areas were subdivided it could be a great area for the run off and then a developer could handle the rest.

Chair Martin offered the suggestion that a motion could be made to remove the parcels of concern to allow staff more time to review and come up with something more specific. Mr. Mueller said he could see that more work on the properties being discussed in Anchor Point and Ninilchik could be done. It is not critical that they are on the 2020 land sale. A motion could be made to have them pulled to allow staff to do more work and then bring them back later. Commissioner Bentz said she could see the potential of further subdivision of the parcels and maybe classifying different sections of those parcels in the future. She wanted to include the smaller parcel next to the one in Anchor Point being discussed. Parcel 16913229 could be considered part of the rework with the neighboring parcel, 16913228.

AMENDMENT MOTION: Commissioner Bentz moved, seconded by Commissioner Morgan, to remove the following parcels from the land proposed for classification, parcel 16913229 in Anchor Point that is 1.4 acres, parcel 16913228, and 15706215 in Ninilchik.

AMENDMENT MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

MOTION PASSED: Seeing and hearing no discussion or objection, the motion passed by unanimous consent.