

C. CONSENT AGENDA

***7. Minutes**

- a. June 9, 2025 Planning Commission Meeting Minutes**

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

JUNE 9, 2025
7:30 P.M.
UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Commissioner Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Sterling / Funny River
Jeffery Epperheimer, Nikiski District
Pamela Gillham, Kalifornsky/Kasilof District
Dawson Slaughter, Southern Peninsula District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Karina England, City of Seward
Diane Fikes, City of Kenai
Paul Whitney, City of Soldotna
Franco Venuti, City of Homer

With 9 members present, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Aaron Hughes, Land Management Officer
Ann Shirnberg, Planning Administrative Assistant
Jenny Robertson, Land Management Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDA

***1. Time Extension Requests**

- a. Bostwick Subdivision; KPB File 2021-068
- b. Jack Gist Subdivision No. 3; KPB File 2020-107

***3. Plats Granted Administrative Approval**

- a. Ageya Homestead 2024 Replat; KPB File 2024-088
- b. Atkinson Subdivision Savely Addition; KPB File 2024-095
- c. Bayview Gardens Subdivision Addition 2 Jennings 2024 Replat; KPB File 2024-109
- d. Dawn Estates Whitten Berg Addition; KPB File 2024-120R1
- e. Eker Estates No. 3 Tract A-1 2024 Replat; KPB File 2024-089
- f. Glacier View Subdivision No. 28; KPB File 2024-041
- g. Kyzer Subdivision Carlson Addition; KPB File 2024-130
- h. Sea Watch Estates 2024 Addition; KPB File 2024-121
- i. Shepherd Subdivision; KPB File 2024-098
- j. Trust Land Survey 2023-05 Three Ponds Subdivision; KPB File 2024-006
- k. Trust Land Survey 2024-066 Emerald Subdivision; KPB File 2024-066

***7. Minutes**

- a. May 12, 2025 Planning Commission Meeting Minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if

anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Whitney to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti
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AGENDA ITEM E. NEW BUSINESS

ITEM #1 – ORDINANCE 2025-10

AUTHORIZING THE SALE OF CERTAIN PARCELS OWNED BY THE KENAI PENINSULA BOROUGH VIA A LIVE PUBLIC OUTCRY/SIMILCAST ONLINE AUCTION FOLLOWED BY A SECONDARY ONLINE-ONLY AUCTION

Staff report give by Land Management Officer Aaron Hughes

Chair Brantley opened the item for public comment.

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

MOTION: Commissioner Whitney moved, seconded by Commissioner Slaughter to forward to the Assembly a recommendation to adopt Ordinance 2025-10: Authorizing the sale of certain parcels owned by the Kenai Peninsula Borough via a live public outcry/simulcast online auction followed by a secondary online-only auction.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
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ITEM #2 – RESOLUTION 2025-XX

AUTHORIZING THE CORRECTION OF TITLE TO A PARCEL OF LAND ORIGINALL ACQUIRED BY PENINSULA GENERAL HOSPITAL

Staff report give by Land Management Officer Aaron Hughes.

Chair Brantley opened the item for public comment.

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

MOTION: Commissioner Gillham moved, seconded by Commissioner Whitney to forward to the Assembly a recommendation to adopt Resolution 2025-XX: Authorizing the correction of title to a parcel of land originally acquired by Peninsula General Hospital

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
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ITEM #3 – ORDINANCE 2025-11
AMENDING KPB 2.56.007 TO ADOPT THE 2025 KENAI PENINSULA BOROUGH SAFE STREETS & ROADS FOR ALL COMPREHENSIVE SAFETY ACTION PLAN AS AN ELEMENT OF THE 2019 KENAI PENINSULA BOROUGH COMPREHENSIVE PLAN

Staff report give by Land Management Officer Aaron Hughes.

Chair Brantley opened the item for public comment.

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

MOTION: Commissioner Slaughter moved, seconded by Commissioner England to forward to the Assembly a recommendation to adopt Amending KPB 2.56.007 to adopt the 2025 Kenai Peninsula Borough Safe Streets & Roads For All Comprehensive Safety Action Plan as an element of the 2019 Kenai Peninsula Borough Comprehensive Plan

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
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ITEM #4 – ORDINANCE 2025-12
AMENDING KPB 21.18.081 TO CLARIFY THE REQUIREMENTS FOR CONDITIONAL USE PERMITS AND AMENDING KPB 21.18.140 TO DEFINE “WATER-DEPENDENT”

Staff report give by Planning Director Robert Ruffner.

Commissioner Epperheimer expressed concerns that the proposed ordinance does not allow for fences to be permitted within the HPD on private properties. He felt that was too restrictive. He also felt the section related to removing a 20’ section of the fence within the Habitat Protection District (HPD) was vague as it wasn’t clear what section of the fence was to be removed. Commissioner Fikes agreed with him.

Planning Director Ruffner noted over the years the vast majority of permits for fences within the HPD have been for properties adjacent to public ROWs or other public lands. Again, the majority of these permits have had the requirement to seasonally remove a section of the fences for wildlife passage. In this area the ordinance is reflective of past practices. He then noted he was a bit on the fence regarding allowing fences on private properties and stated he would welcome discussion on this topic.

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

MAIN MOTION: Commissioner Whitney moved, seconded by Commissioner Venuti to forward to the Assembly a recommendation to adopt Ordinance 2025-12: Amending KPB 21.18.081 to clarify the requirements for conditional use permits and amending KPB 21.18.140 to define “Water-Dependent”

Commissioner Epperheimer stated he would like to recommend an amendment that would allow fences on private properties to be allowed.

AMENDMENT MOTION: Commissioner Epperheimer moved, seconded by Commissioner Fikes to forward to the assembly a recommendation to amend Ordinance 2025-12 to allow for fences on private property within the Habitat Protection District.

Commissioner Brantley stated he is fine with how the ordinance is written. He understands the intent is to keep most stuff out of the HPD. He noted wildlife can be impacted negatively when there are fences all along the river making migrating/moving difficult. Commissioner England stated that she agrees.

Commissioner Morgan agreed with Commissioner Brantley, stating that the bottom 50' feet is an area of most concern. She is fine with not having fences in the HPD between private landowners.

Hearing no objection or further discussion, the motion was carried by the following vote:

AMENDMENT MOTION FAILED BY MAJORITY VOTE:

No - 7	Brantley, England, Fikes, Gillham, Morgan, Venuti, Whitney
Yes - 2	Epperheimer, Slaughter

Commissioner Epperheimer noted the HPD wasn't just along major rivers but also included some smaller creeks & streams as well as lakes. He would still like to see some flexibility that would allow fences within the HPD on private properties in certain circumstances.

Commissioner Brantley thanked Commissioner Epperheimer for bring up this point. He noted that he often thinks of the HPD as they relate to our major rivers or flowing waters. Commissioner Gillham agreed with Commissioner Brantley.

Planning Director Ruffner noted lakes are a bit different. KPB 21.18.071(A)(5) addresses a number of allowable uses within the HPD on lakes. Items noted are gazebos, firepits, barbeques, walkways, decks and saunas. He would suggest that should the commission wish to do so they could add fences as an allowable use to this section of code.

Commissioner Epperheimer noted some of the anadromous streams are tiny and are not prone to flooding. Again, he would like to have the flexibility to allow fences within the HPD on some private properties in these type of situations.

Commissioner Brantley noted that he would like to include fences in the list of things that can be placed in the HPD on lakes.

AMENDMENT MOTION: Commissioner Epperheimer moved, seconded by Commissioner Gillham to forward to the Assembly a recommendation to amend KPB 21.18.071(A)(5) to include fences as an allowable use within the 50-foot Habitat Protection District adjacent to lakes.

Hearing no objection or further discussion, the motion was carried by the following vote:

AMENDMENT MOTION PASSED BY MAJORITY VOTE:

Yes - 7	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti
No - 2	England, Whitney

Hearing no objection or further discussion, the main motion was carried by the following vote:

MAIN MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
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AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone who wished to comment on anything that was not on the agenda. There was no one who wished to comment.

AGENDA ITEM J. COMMISSIONER COMMENTS

AGENDA ITEM K. ADJOURNMENT

Commissioner Gillham moved to adjourn the meeting at 8:57 P.M.

Ann E. Shirnberg
Administrative Assistant