

Introduced By: City Manager
Date: January 22, 2020
Action: Adopted
Vote: 6 Yes, 0 No

CITY OF SOLDOTNA
RESOLUTION 2020-004

A RESOLUTION RECOMMENDING THE KENAI PENINSULA BOROUGH ASSEMBLY NOT ENACT SUBSTITUTE ORDINANCE 2019-024, SUBDIVISION PRIVATE STREETS AND GATED SUBDIVISIONS

WHEREAS, the Kenai Peninsula Borough Assembly is considering Substitute Ordinance 2019-024, which would allow for the creation of private streets and gated subdivisions when a subdivision is first created, would allow for the conversion of an existing public street into a private tract, and would allow for the conversion of a private street to a public street; and

WHEREAS, if enacted, the standards of Substitute Ordinance 2019-024 would apply both in the unincorporated areas of the Borough and within incorporated cities; and

WHEREAS, the orderly development of lands and the upkeep of transportation infrastructure is an important function of city government; and

WHEREAS, maintaining and improving vehicular and pedestrian connectivity throughout the community is a priority goal in Soldotna's guiding policy documents including the Comprehensive Plan and the Recreation and Trails Master Plan; and

WHEREAS, the City of Soldotna has substantial investments in the existing transportation network and in public rights-of-ways, to include roads, sidewalks, lighting, and water, sewer and storm infrastructure; and

WHEREAS, the Soldotna Planning Commission, at a meeting on October 8, 2019, identified concerns with Substitute Ordinance 2019-024 to include: the potential negative impact on community connectivity; substandard maintenance on private streets that may become a burden on the City should they become public; and the concern with transferring publically-financed infrastructure to a private organization or small group of property owners; and

WHEREAS, the Kenai Peninsula Borough Code allows for the partial delegation of platting authority to first class and home rule cities within the borough, enabling them to adopt by ordinance subdivision standards which are different from those set forth by the Borough; and

WHEREAS, Borough staff have indicated, however, that the City of Soldotna has not been granted such authority and therefore any subdivision-related standards adopted by ordinance into the Soldotna Municipal Code will be considered advisory only by the Borough Planning Commission; and

WHEREAS, the City has not seen demand in Soldotna for new developments which could not be accommodated under the existing Borough Platting Code, and the type of neighborhood development allowed for under the proposed ordinance may be inconsistent with City of Soldotna policies and planning goals; and

WHEREAS, private roads in the borough have been approved in the past, by utilizing the existing exception process in KPB 20.50;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

- Section 1. The Soldotna City Council respectfully requests that the Kenai Peninsula Borough Assembly not enact Kenai Peninsula Borough Substitute Ordinance 2019-024, as it does not provide the City with sufficient oversight and control over transportation and infrastructure decisions inside city limits.
- Section 2. A copy of this resolution shall be forwarded to Borough Mayor Charlie Pierce, and the Members of the Kenai Peninsula Borough Assembly.
- Section 3. This resolution shall become effective immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL THIS 22ND DAY OF JANUARY, 2020.



Pete Sprague, Mayor

ATTEST:



Michelle M. Sauer MMC, City Clerk

Yes: L. Parker, Whitney, Ruffridge, P. Parker, Carey, Chilson
No: None