

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Brent Hibbert, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Charlie Pierce, Borough Mayor *ch*

FROM: Melanie Aeschliman, Planning Director *MAH*

DATE: April 28, 2021

RE: Ordinance 2021-17: Amending KPB 21.06 Floodplain Management to adopt flood depths for three neighborhoods in the Seward Mapped Flood Data Area and to incorporate the Seward Mapped Flood Data Area into the minimum National Flood Insurance Standards.

The Kenai Peninsula Borough Planning Commission reviewed the subject ordinance during their regularly scheduled April 26, 2021 meeting.

A motion passed by unanimous vote (11-Yes, 0-No) to recommend approval of Ordinance 2021-17.

In the ordinance, please amend the last WHEREAS statement:

WHEREAS, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting April 26, 2021 recommended approval by unanimous vote.

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

April 26, 2021 Planning Commission Draft Meeting Minutes

Multi-agency application
Draft Resolution

Staff Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for some of the habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2021-15.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Gillham to approve PC Resolution 2021-15, issuing a conditional use permit to the Alaska Department of Transportation & Public Facilities.

MOTION PASSED: Hearing no further discussion or objection the motion passed by the following vote:

Yes	11	No	0	Absent	0
Yes	Bentz, Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
No					

AGENDA ITEM E. PUBLIC HEARINGS

- Ordinance 2021-17: An Ordinance amending KPB 21.06 Floodplain Management to adopt flood depths for three neighborhoods in the Seward Mapped Flood Data Area and to incorporate the Seward Mapped Flood Data Area into the Minimum National Flood Insurance Standards.

Staff report given by Samantha Lopez.

Since 1988, the borough has participated in the National Flood Insurance Program (NFIP), making federal disaster assistance, federal hazard mitigation grants, federal subsidized mortgages, and individual homeowner insurance available within the borough. The Federal Emergency Management Agency (FEMA) oversees the NFIP and provides participating communities with the minimum regulations and regulatory flood maps for each community to enforce.

The borough established the Seward Mapped Flood Data Area (SMFDA) in 2009 to regulate areas of known riverine and alluvial flood hazards outside the FEMA regulatory maps. The SMFDA was scheduled to sunset when FEMA provided an updated flood insurance study with new regulatory flood maps for the service area. In 2013, FEMA mapped some of the service area, but not many areas of known flood hazard, so the SMFDA was kept as a minimum regulatory tool to continue to protect residents against flood hazards.

The SMFDA was designed to be a short-term regulatory tool, and was based on anecdotal flooding evidence from three floods of record in 1986, 1995, and 2006. In 2020, the SBCFSA contracted with Alaska Water Resources Engineering to create hydraulic and hydrologic models for three neighborhoods in the SMFDA, providing flood hazard boundaries and flood depths for the 100-year flood event. These additional data provide the flood protection elevation necessary to regulate development within the SMFDA to the minimum NFIP standards.

This ordinance will integrate development within the SMFDA into the same minimum NFIP standards as the FEMA flood hazard areas. The ordinance will also clarify and define the different flood protection elevation standards based on minimum NFIP regulations.

At its April 5, 2021 regular meeting, the SBCFSA Board of Directors recommended approval of this ordinance.

END OF STAFF REPORT

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Ecklund moved, seconded by Commissioner Gillham to forward to the assembly a recommendation to approve Ordinance 2021-17: Amending KPB 21.06 Floodplain Management to adopt flood depths for three neighborhoods in the Seward Mapped Flood Data Area and to incorporate the Seward Mapped Flood Data Area into the Minimum National Flood Insurance Standards.

MOTION PASSED: Hearing no further discussion or objection the motion passed by the following vote:

Yes	11	No	0	Absent	0
Yes	Bentz, Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
No					

AGENDA ITEM E. PUBLIC HEARINGS

- 5. Resolution 2021-12: Recommending Adoption of the City of Soldotna All Hazard Mitigation Plan 2019 Update as Part of the Kenai Peninsula Borough Hazard Mitigation Plan.

Staff report given by Bryan Taylor.

The KPB is part of a multi-jurisdictional team that works to keep the hazard mitigation plans of several communities within the borough up-to-date. The City of Soldotna has recently completed an update to its All Hazard Mitigation Plan and is requesting that the Kenai Peninsula Borough adopt the updated plan. Keeping this plan updated is required in order to be eligible for certain types of non-emergency disaster funding, including funding for mitigation projects.

Adopting the city's updated plan furthers goals outlined within the borough's 2019 Comprehensive Plan to maintain preparedness to respond and recover from natural and human-caused emergencies among the borough's communities.

END OF STAFF REPORT

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

MOTION: Commissioner Carluccio moved, seconded by Commissioner Brantley to approve PC Resolution 2021-12, recommending adoption of the City of Soldotna All Hazard Mitigation Plan 2019 Update as part of the Kenai Peninsula Borough Hazard Mitigation Plan.

MOTION PASSED: Hearing no further discussion or objection the motion passed by the following vote:

Yes	11	No	0	Absent	0
Yes	Bentz, Brantley, Carluccio, Chesser, Ecklund, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
No					