

SELDOVIA
CITY COUNCIL

MONDAY
October 14, 2019
6:00 PM



REGULAR MEETING
MULTI-PURPOSE ROOM

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**AGENDA FOR A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS**

**Monday
October 14, 2019
6:00pm**

CAMPBELL MORRISON ROJAS LETHIN SWEATT COLBERG
--

- A. Call to Order & Roll Call:
- B. Pledge of Allegiance:
- C. Excused Absences: MAYOR LENT
- D. Agenda Approval:
- E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*
 - 1. Approval of Minutes: Minutes of the Special Meeting, September 25, 2019, and Minutes of the Special Meeting, October 07, 2019
 - 2. Payment Approval Report: None
 - 3. Ordinance Introduction: None
- F. Mayoral Proclamations:
- G. Public Presentation Prior Notice: (each presenter has up to 10 min)
 - 1. Tim Dillon, KPEDD-
- H. Public Presentation for Items not on Agenda: (public has 3 min each)
- I. Committee and Advisory Board Reports: (each member has 5 min)
- J. Public Hearings:
 - 1. COLE/WARBURTON VARIANCE PERMIT APPLICATION
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
 - 2. RESOLUTION 20-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA AUTHORIZING ACCEPTANCE OF A STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION, VILLAGE SAFE WATER PROGRAM, GRANT FOR A WASTEWATER COLLECTION AND TREATMENT PRELIMINARY ENGINEERING REPORT (PER)
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
 - 3. ACTION MEMORANDUM 20-01 CONFIRMING THE APPOINTMENT OF KRIS LETHIN TO THE SELDOVIA PLANNING COMMISSION
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
 - 4. ACTION MEMORANDUM 20-02 CITY COUNCIL STATEMENT OF NON-OBJECTION FOR THE RENEWAL OF THE S&C, LLC PACKAGE STORE LIQUOR LICENSE #1019
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition

5. ACTION MEMORANDUM 20-03 APPROVING THE CERTIFICATION OF THE FY18 AUDIT AS PRESENTED BY ALTMAN, ROGERS & CO, CERTIFIED PUBLIC ACCOUNTANTS

- a. Presentation by Staff or Council
- b. Council Discussion
- c. Public Presentation or Hearing (public has 3 min each)
- d. Action/Disposition

K. Unfinished Business:

L. New Business:

1. Discussion- KPB Ordinance 2019-24- Private Streets and Gated Subdivisions- DRAFT- for comment

- a. Presentation by Staff or Council
- b. Council Discussion
- c. Public Presentation or Hearing (public has 3 min each)
- d. Action/Disposition

2. Discussion- Support to add Climate Action Plan Language to the 2019 KPB Comprehensive Plan

- a. Presentation by Staff or Council
- b. Council Discussion
- c. Public Presentation or Hearing (public has 3 min each)
- d. Action/Disposition

M. Administration Reports:

M. Informational Items Not Requiring Action:

N. Executive Session:

1. Potential Pending Litigation- For matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

P. Council and Mayor Comments Concerning Items Not on the Agenda:

Q. Next Meeting: The next Regular Meeting will be held on Monday, October 28, 2019 at 6:00 pm

R. Adjournment:

* IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND THE MEETING, PLEASE NOTIFY THE CITY OFFICE 24 HOURS IN ADVANCE AND ARRANGEMENTS WILL BE MADE *

Seldovia City Council Regular Meeting October 14, 2019

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**MINUTES FROM A SPECIAL MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Wednesday
September 25, 2019
6:00pm**

ROJAS LETHIN SWEATT COLBERG CAMPBELL MORRISON
--

A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: LETHIN, SWEATT, COLBERG, and MORRISON

B. Pledge of Allegiance: Held

C. Excused Absences: MAYOR LENT, ROJAS, and CAMPBELL

D. Agenda Approval:

COLBERG/LETHIN MOVED TO APPROVE THE AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*

1. Approval of Minutes: Minutes of the Regular Meeting, September 09, 2019

2. Payment Approval Report:

3. Ordinance Introduction:

LETHIN/COLBERG MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

F. Mayoral Proclamations: None

G. Public Presentation Prior Notice: (each presenter has up to 10 min) None

H. Public Presentation for Items not on Agenda: (public has 3 min each)

LAUREL HILTS, resident- Gave a shout out to the folks who responded to the fire the previous day from SVT, and especially to Barabara Heights Fire Department, the city and crew. She discussed that the Chamber of Commerce had a great event the previous week where they were able to celebrate Jan Yaeger for her years in EMS. The school had their open house with the new principal. She spoke to events coming up around Halloween. The Seldovia Chamber of Commerce would be going through a restructuring there was not enough people to fill the positions. Crystal Collier was the vice president and would be running a meeting that coming Thursday at noon to discussing the restructuring.

I. Committee and Advisory Board Reports: (each member has 5 min)

PAULIE CARLUCCIO, Planning Commissioner- Discussed that the Seldovia Planning and Zoning was down to three members again and that some things such as a variance require four people. They can hold a meeting with three but the other things will come to council. Additionally, she discussed that she was retiring from her day job at the end of the year and would be out of town for a couple of months in 2020, it was imminent that they get more people.

J. Public Hearings:

1. RESOLUTION 20-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, SUPPORTING KENAI PENINSULA BOROUGH RESOLUTION 2019-047 TO RECOGNIZE THE RECOMMENDATIONS OF THE KENAI PENINSULA BOROUGH'S ELECTION STAKEHOLDERS GROUP AND DIRECTING STAFF TO EXPLORE IMPLEMENTATION OF THE RECOMMENDATIONS, AND SIGNING KENAI PENINSULA BOROUGH JOINT RESOLUTION 2019-001

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Resolution 20-07 and its supporting documents.

b. Council Discussion

ACTING MAYOR SWEATT called for council comment and none was heard.

c. Public Presentation or Hearing (public has 3 min each)

ACTING MAYOR SWEATT called for public comment and none was heard.

d. Action/Disposition

COLBERG/LETHIN MOVED TO ADOPT RESOLUTION 20-07
VOICE VOTE/UNANIMOUS/MOTION PASSED

K. Unfinished Business: None

L. New Business:

1. Discussion- Alaska Rural Water Association and Remote Maintenance Work Program Update

a. Presentation by Staff or Council

CM CAMERON- Introduced Steve Evavold with the Remote Maintenance Program (RMP) and Kevin Schoneman with Alaska Rural Water Association (ARWA).

KEVIN SCHONEMAN, ARWA- Discussed that he had done some leak detection throughout the week and would be doing extensive leak detection through the winter when they could take more time. He discussed his history with Seldovia and that he first was introduced to Seldovia through Lynn Moreno with CRW, who asked for help with leak detection because 280,000-300,000 gallons of water was being used a day. Leaks were overlooked in the past, now Seldovia was averaging around 90,000 gallons a day, a huge reduction. He discussed the water shortage and that if consumption was what it had been five years ago Seldovia would have ran out of water this summer. He worked with a state hydrologist Charlie Palmer with calculating the water shortage rates this summer and their figures were in the ballpark. He discussed that the system was old and not every leak could be fixed immediately but they could be whittled down and there was always the chance of new leaks. He discussed that Seldovia was not the only community in that region with a drought problem that summer. He discussed the difficult of detecting leaks between the dam and the plant, because of the length of pipe and where equipment could be attached, but that they wanted to and were trying to figure it out. He discussed that the city should be using 20,000 gallons a day with the US standards of people using 100 gallons per day and discussed what had been learned with other communities from actions such as turning water treatment plants off overnight, they were wasting as much as they were saving. He discussed learning through trial and error and that Cassidi was working to narrow down a price per gallon. He discussed that the water treatment plant was federally mandated and discussed the states primacy and that the state had to meet or exceed above EPA standards. He discussed the possibility of using Fish Creek as a water source and that because there were fish in it there were different elements to treating it. A spillway could be used for the fish in the creek, the pumps were still there, as well as the dam intake. He discussed dredging the reservoir to have a bigger holding capacity, and that the reservoir could be expanded, but it would have to be engineered and going through dam safety.

STEVE EVAVOLD, RMP- Discussed his history with Seldovia his first trip was in 1998 with project manager Lynn Merino. He discussed that the occasional leak was found and fixed and that his focus was working with the operators to weave through EPA, DEC requirements, and certification. He also helped with the decision process of what type of water treatment plant was needed for the city. He discussed the water treatment plant's filtration process, its additives, that it was easy to maintain when everything went right, and the plant should last 20-30 years. He discussed that is was an expensive plant to operate and that RUBA and the Best Practices Scoring were involved to show that the city could take care of what they had and that the city was scored quarterly. The city's latest score was 82, but there were a lot of 90s out there, and some 40s and 50s, the city was sitting on the cusp. He discussed ways to increase the score with reporting. He discussed that some leaks in the system were expected, no system was leak free except in the arctic with controlled systems and that the city would be happy with 50000 gallons of water being used a day. He discussed the transmission line and that leaks had been repaired throughout time, it was the oldest line in town, the dam was built in 1954.

b. Council Discussion

LETHIN- Inquired about leak testing between the dam and the plant and discussed the ductile material. He discussed that the reservoir was dredged in 1988.

COLBERG- Discussed that a community this size should use 30,000 gallons of water a day.

MORRISON- Asked what was wrong with water to begin with that they had to get that water treatment plant and inquired about Fish Creek as a water source. He inquired whether dredging or expanding the reservoir was more cost effective.

c. Public Presentation or Hearing (public has 3 min each)

LAUREL HILTS- Inquired about the per gallon estimate per cost and discussed that the water usage was being paid with the mill rate.

d. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

2. Discussion- Lollipop Park Work Group

a. Presentation by Staff or Council

CM CAMERON- Asked for the council to consider having a work group for the replacement of equipment at Lollipop Park through the Rasmuson Grant and discussed that people that have shown an interest in the park could be approached or sent a letter asking them to be involved. It was not a requirement of the grant to have a work group.

b. Council Discussion

COLBERG- Spoke in support of a work group.

LETHIN- Spoke in support of a work group.

SWEATT- Inquired about having a work session and if it was a requirement of the grant to go before the public.

c. Public Presentation or Hearing (public has 3 min each)

ACTING MAYOR SWEATT called for public comment and none was heard.

d. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

M. Administration Reports:

1. Treasurer's Report: See Laydown, NONE

2. City Manager's Report: See Laydown

CM CAMERON- Presented the city manager's report as written and included a water supply update from August to that morning. Right now, the water was over the spillway, at capacity. Steve Evavold had a great suggestion to get sand bags to save water from going over. She presented a summary of the fire events that happened the previous day and that the city and Barabara Heights Fire Department had worked well together. The fire was very toxic and that had to be taken into consideration, the volunteer firefighters were not trained nor had that correct resources. She discussed an LED indoor lighting conversion plan and that last month the AEA had a grant application opportunity for outdoor lighting only. The city's outdoor lighting was very minimal not worth the time and effort to commit to a grant. She was working with Layla and staff about what they had and where the city wanted to go with putting in LED lighting. She discussed the current lighting budget and that she had consulted with Lane at Puffin Electric and received a conservative cost savings estimate of 45% if the city switched to an LED Ballast without light bulbs. The savings would be around \$7,000 annually and the upgrade would cost approximately \$4,000 plus labor; with a return on the investment at approximately a year and a half. She spoke to the Best Practice Score and that she spoke with Steve about how to increase the score and get into the 90s to be more competitive for capital improvement grants. Seldovia Space was being painted and being upgraded. She had a long-term lease agreement for 6 months, one through August of the next year, and one potentially starting in spring of 2020. She discussed the EDA Grant for mitigation and was developing the nexus to connect the dots for project requirements. There was no due date, but there was a big bucket of projects and she was trying to prioritize and would bring those to the next meeting to see what was the most attainable. It was going to be very competitive because the Mat-Su Borough was also applying and very clearly had significant damage from the earthquake event. She discussed that she was still working on the Land Use Management Plan along with Harbor parking lot concept. The FY18 audit final report went to the printer, and they had the FY19 numbers and would start that audit. Tim Dillon would be in Seldovia on October 14th to present on KPEDD. The quote for the tree removal on Main Street did not include clean up; if clean up was included, the estimate increased to 3,000-4,000

dollars to do so instead of \$800. She spoke with maintenance about having the tree available for firewood for the community. No oil response was needed for the sunken boat at Jakolof, all the proper authorities were called.

LETHIN- Spoke in support of switching to LED.

COLBERG- Spoke in support of switching to LED.

LAUREL HILTS- Inquired where Bay Street was and discussed that the road was eroding away. She inquired if oil response had been needed at Jakolof Bay Harbor when the boat sank.

3. Chief of Police Report: See Laydown

CHIEF CUSHMAN- Presented the report as written.

CM CAMERON- Discussed that Representatives Stutes was reached out to about having ATV's on state roads and she was on board and would start drafting a bill to allow exemptions and allowances on state highways in order to do so. Representative Stutes was very receptive and was planning a visit before the session began.

4. Harbormaster's Report: See Laydown

5. Public Works Report: See Laydown

M. Informational Items Not Requiring Action:

1. Election Day is October 1, 2019. Absentee voting is available at the city office from September 16, 2019- September 30, 2019, Monday through Friday, 9:00am- 5:00pm.

1. There will be a Special Council Meeting October 7th, 2019 to certify the election.

O. Executive Session: None

P. Council and Mayor Comments Concerning Items Not on the Agenda:

LETHIN- Thanked everybody for coming and the staff for all their hard work. He asked to be excused October 7th because he would be in Anchorage for appointments.

COLBERG- Thanked everyone for coming and the office for all their hard work.

MORRISON- Thanked everyone for showing up and Paul for his great work. He thanked the presenters for the help they had given on the water and the staff.

SWEATT- Thanked everyone to coming and the staff for their hard work always.

Q. Next Meeting: The next Regular Meeting will be held on Monday, October 14, 2019 at 6:00 pm

R. Adjournment:

COLBERG/LETHIN MOVED TO ADJOURN AT 7:10PM
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of September 25, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

MINUTES FROM A **SPECIAL** MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Monday
October 07, 2019
6:00pm

MORRISON ROJAS LETHIN SWEATT COLBERG CAMPBELL
--

A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: MORRISON, ROJAS- telephonic, SWEATT, and COLBERG

B. Pledge of Allegiance: Held

C. Excused Absences: MAYOR LENT, LETHIN, and CAMPBELL

D. Agenda Approval:

COLBERG/MORRISON MOVED TO APPROVE THE AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*

1. Approval of Minutes: None

2. Payment Approval Report: None

3. Ordinance Introduction: None

COLBERG/MORRISON MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

F. Mayoral Proclamations: None

G. Public Presentation Prior Notice: (each presenter has up to 10 min) None

H. Public Presentation for Items not on Agenda: (public has 3 min each) None

I. Committee and Advisory Board Reports: (each member has 5 min) None

J. Public Hearings:

1. RESOLUTION 20-08 CERTIFICATE OF RESULTS OF ELECTION OCTOBER 1, 2019

a. Presentation by Staff or Council

1. Clerk Geagel and the Canvass Board will add the absentee ballots and question ballots to the unofficial tally.

b. Council Discussion

ACTING MAYOR SWEATT called for council comment and none was heard.

c. Public Presentation or Hearing (public has 3 min each)

ACTING MAYOR SWEATT called for public comment and none was heard.

d. Action/Disposition

COLBERG/MORRISON MOVED TO ADOPT RESOLUTION COLBERG/LETHIN MOVED TO ADOPT
RESOLUTION 20-07
VOICE VOTE/UNANIMOUS/MOTION PASSED

K. Unfinished Business: None

L. New Business:None

M. Administration Reports: None

M. Informational Items Not Requiring Action:

1. New Council Members will be sworn in prior to the regular meeting on Oct. 14, 2019.

O. Executive Session: None

P. Council and Mayor Comments Concerning Items Not on the Agenda:

COLBERG- Thanked everybody for coming, quick meeting.

MORRISON- Congratulated Vivian and George and stated that they would both be a great asset to the council. He thanked everyone for coming.

SWEATT- Congratulated Vivian.

Q. Next Meeting: The next Regular Meeting will be held on Monday, October 14, 2019 at 6:00 pm

R. Adjournment:

COLBERG/ROJAS MOVED TO ADJOURN AT 6:09PM
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of October 07, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

DRAFT



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: cityclerk@cityofseldovia.com

**CITY OF SELDOVIA
VARIANCE PERMIT
APPLICATION FORM
FEE: \$200.00**

Owner Name: Justin Cole / Michael Warburton

Mailing Address: 33730 Justins Ct
Homer AK 99603

Legal description of lot/lots: 221 inlet st 19201310 9 3 T85R

Description of neighboring land use:

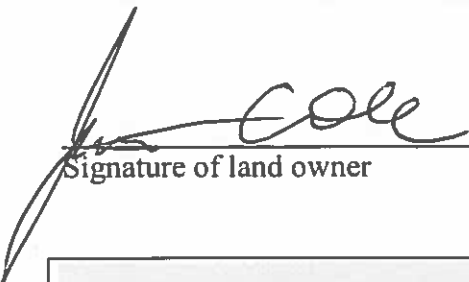
Description of the variance requested:
Deck Set back from north lot line

Zoning code section which applicant wishes to deviate from:
18.40.070 Building Set back

Reference: Chapter 18.76.030, Seldovia Municipal Code

Written response to all of the following conditions
Attach extra pages to this application:
(Chapter 18.76.020, Seldovia Municipal Code)

- A. All of the following conditions shall be found before a variance may be granted:
1. A literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district. *Safe exit from the structure.*
 2. Special conditions and circumstances exist which are peculiar to the land or structures involved and which are not applicable to other lands and structures in the same district.
 3. The special conditions and circumstances have not been caused by actions of the applicant. *No.*
- B. Financial hardship or inconvenience shall not be the reason for granting a Variance. *Okay*
- C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance. *Okay*
- D. A variance shall be the minimum variance necessary to permit the reasonable use of the land or structure. *Yes.*
- E. A variance shall not be granted which will permit a land use in a district in which that use is otherwise prohibited. *Okay*



Signature of land owner

8/14/19

Date

For City Office use only	
Date Received: <i>08/21/2019</i>	P&Z Approval: _____
Receipt No: <i>63583-792</i>	Signature: _____
Public Hearing: <i>10/02/2019</i>	

City of Seldovia
P.O. Drawer B
Seldovia, Alaska
99663

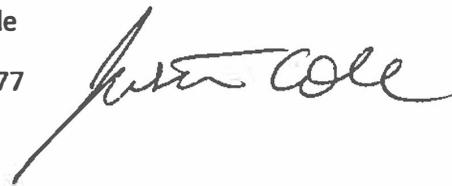
RE: Variance Permit

It is our opinion there was a deck on the north side of the structure at 211 Inlet Street. By eliminating the north deck, it would deprive the occupants of a safe exit from the four bedrooms on the lower floor in the event of an emergency (I.E. fire or earthquake).

We are not asking for a variance to expand the original footprint of the existing nonconforming structure, just an approval to amend it safely for the occupants.

Thank you for your consideration on this matter,

Justin L. Cole
907-299-6177

A handwritten signature in black ink, appearing to read "Justin Cole", written in a cursive style.

October 9, 2019

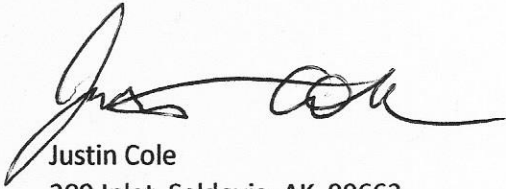
City of Seldovia
City Clerk
PO Drawer B
Seldovia, AK 99663

Dear Heidi Geagel,

I am requesting a variance through the existing doorway for safety reasons. This doorway is considered a fire exit for my 4-bedroom home, with a boiler room in the basement.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Cole", with a long horizontal flourish extending to the right.

Justin Cole
209 Inlet, Seldovia, AK 99663
907-299-6177

Written response to all of the following conditions

Attach extra pages to this application:

(Chapter 18.76.020, Seldovia Municipal Code)

A. All of the following conditions shall be found before a variance may be granted:

1. A literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district. *Safe exit from the structure.*

2. Special conditions and circumstances exist which are peculiar to the land or structures involved and which are not applicable to other lands and structures in the same district.

3. The special conditions and circumstances have not been caused by actions of the applicant. *No.*

B. Financial hardship or inconvenience shall not be the reason for granting a Variance. *Okay*

C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance. *Okay*

D. A variance shall be the minimum variance necessary to permit the reasonable use of the land or structure. *yes.*

E. A variance shall not be granted which will permit a land use in a district in which that use is otherwise prohibited. *Okay*

Michael Warburton
Signature of land owner

8/14/19
Date

Michael Warburton

For City Office use only

Date Received: *08/21/2019*
Receipt No: *63583-792*
Public Hearing: *10/02/2019*

P&Z Approval: _____
Signature: _____

INSTRUCTIONS TO APPLICANTS

Please provide the following information in the space below:

Actual lot size

Location of proposed construction

Dimensions of all buildings & proposed construction

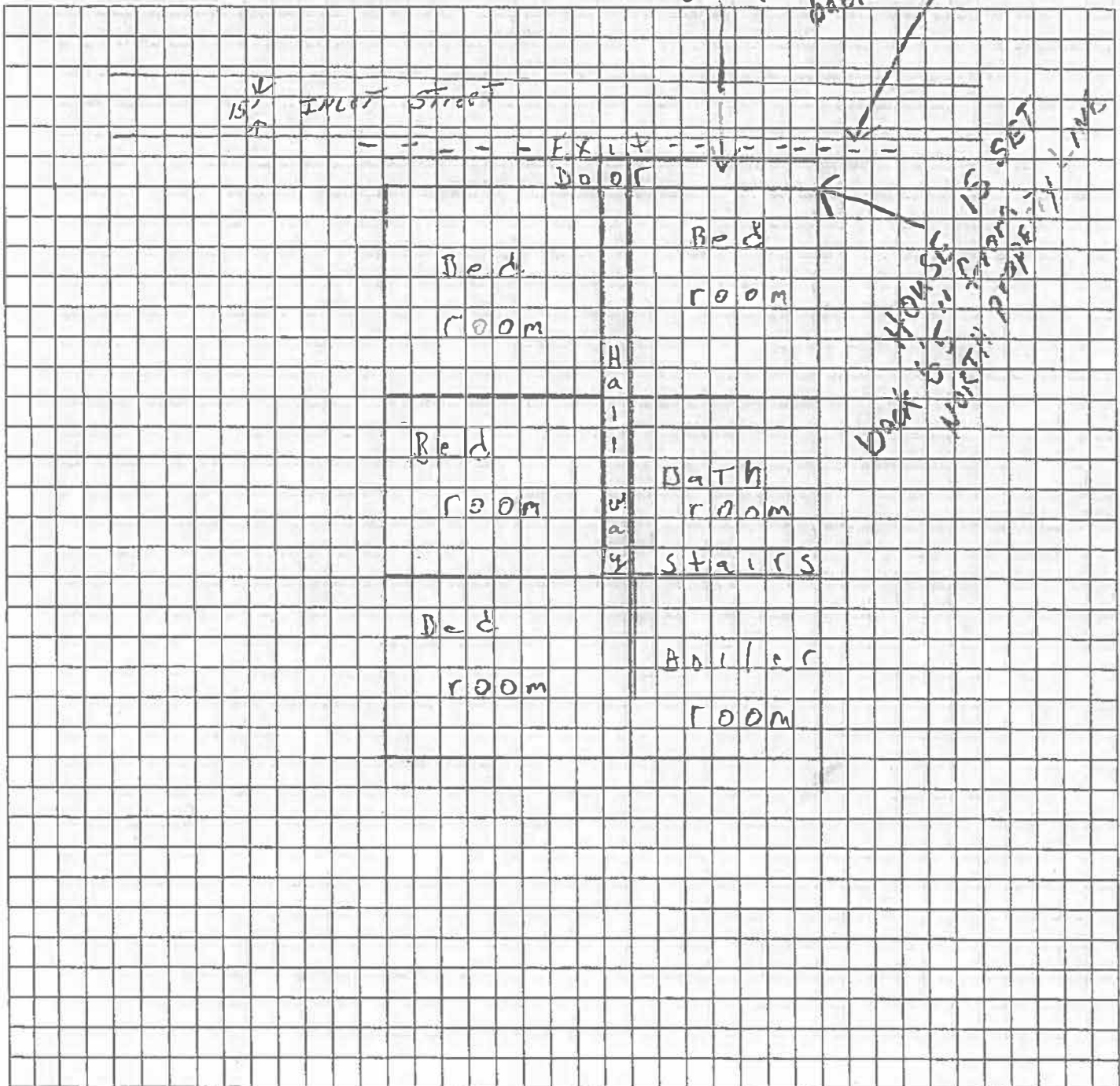
Location of existing building on site

Location of required parking spaces

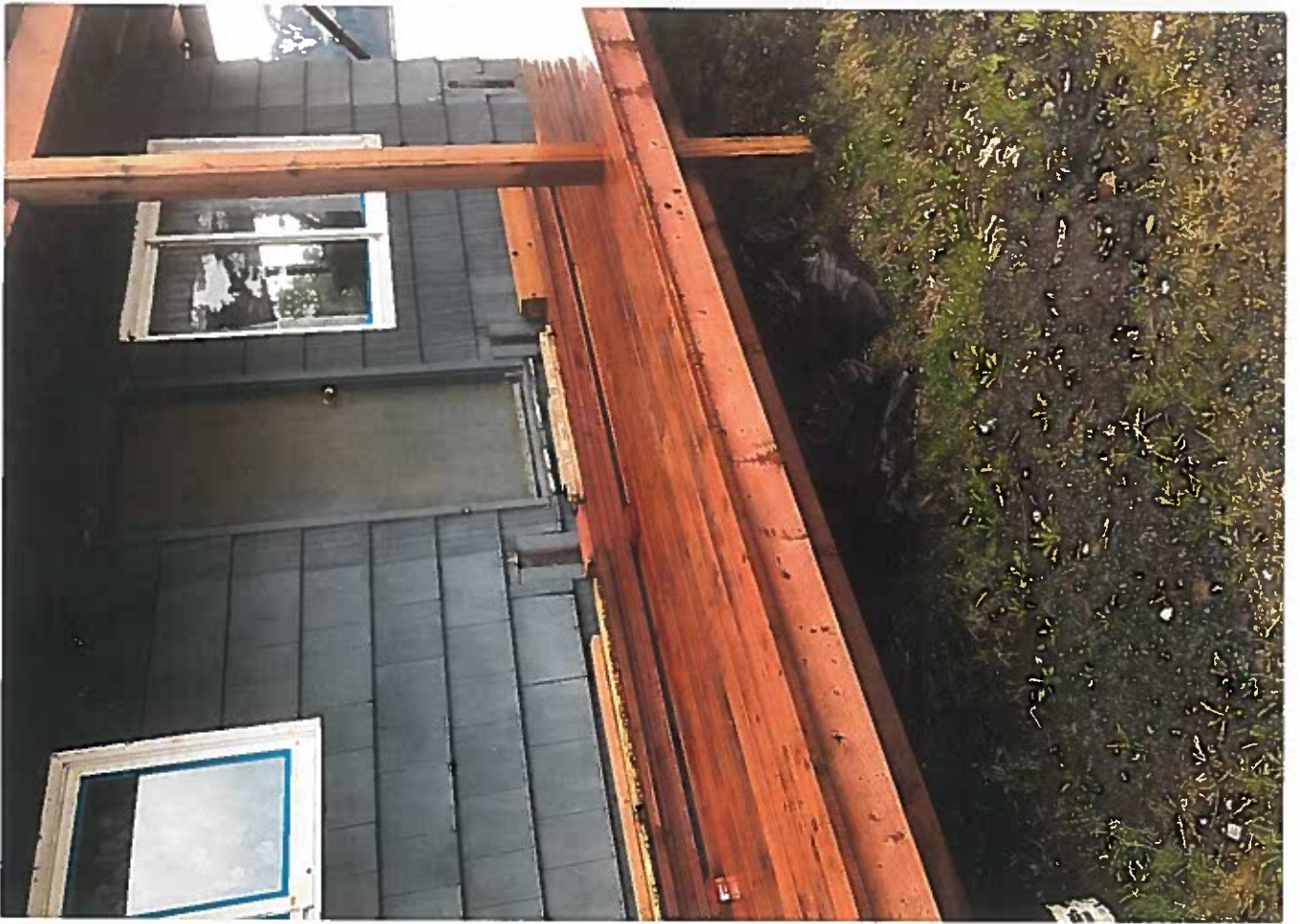
Setback dimensions from all property lines

Area of site occupied by buildings: _____

Graph square are 5' x 5' or 1"=20'







From: [Greg Tami Holt](#)
To: [Heidi Geagel](#)
Subject: Deck Construction for House on Inlet St.
Date: Tuesday, September 3, 2019 11:12:17 PM

We are submitting the following comments for consideration by the city as they review the construction of an exterior deck on the yellow and gray house located off Inlet St. adjacent to Watch Point. Sorry but we do not have the official address for this property to reference.

We object to the construction of the deck on the east side of this house. It very clearly violates the set back requirements of the city's planning and building codes. It may also possibly encroach on to city property. We can't say this with certainty, however, since we are not privy to a survey of the property lines.

We have owned the house at 369 Spruce Dr., Seldovia for about 7 years and there was no deck on that side of the yellow and gray house until the owner began construction one last year. If in fact, if there ever was construction on that side of the house it was considerable more than 7 years ago. With such an extensive passage of time and a new owner it seems to us that any claim of rights for any sort of grandfathering, waiver, or exemption were long since abdicated.

We believe that the city should uphold its building codes for the benefit of the public and not grant any sort of relief for the construction of the new deck on the Inlet St (west) side of the property regardless of its past history.

The construction of this deck is solely for the benefit of the property owner to the detriment of the city and the public who use that street and associated beach. We frequently walk down Inlet Street to Watch Point and the beach. The new deck on that side of the house makes us feel like we are invading the privacy of that home owner and that we are unwelcome to walk there.

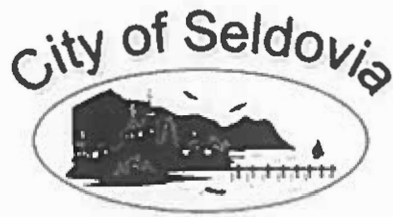
We would also like to mention that we had our own problems concerning planning and building codes with our house at 369 Spruce Dr., Seldovia. The corner of our outside stairs back landing extended three inches on to our neighbors property at the time we bought the house. In addition, our fuel tank was on our neighbors property. Without going into details, even though our neighbor who was affected by this encroachment did not take issue with it, the city held me to the setback requirements in order to do the repairs and deck construction that we wanted to do on the house. In the end we moved the fuel tank and worked with my neighbor to have the property line redrawn so the the house met the city's set back requirements. It cost us over \$4000 just to meet the requirements but the property now conforms to the City's requirements.

We mention this because in the case of our house the general public was not directly affected. It was between two private property owners but we were still required by the city to address the situation in order for us to do the repairs and deck construction we wanted to do on the house.

In the case of the yellow and gray house on Inlet St. a private individual is constructing a deck for his own personal enjoyment and to the detriment of the public's enjoyment of that right of way. We ask that the City of Seldovia abate the construction of this deck.

Sincerely,
Greg and Tami Holt

A solid black rectangular redaction mark covering the signature area.



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: citymanager@cityofseldovia.com

June 17, 2019

Justin Cole
3370 Justin Ct.
Homer, Alaska 99663

Michael Warburton
3500 Crittenden Drive
Homer, Alaska 99603

Mr. Cole and Mr. Warburton,

This letter is in response to Mr. Cole's letter dated May 29, 2019 regarding the following property located on 221 Inlet Street in Seldovia, Alaska.

KPB Parcel ID 19201310

Legal Description:

T 8S R 14W SEC 31 SEWARD MERIDIAN SL 0001771 TOWNSITE OF SELDOVIA USS 1771
LOT 9 BLK 3 THAT PORTION THEREOF AS PER W/D 14 @ 124

Details of this letter will provide an account of the details of the building application submitted on September 11, 2018 as well as the findings of the denial of the building application, as well as the existing position that is still held by our office regarding the non-conforming status of the new construction of the deck at 221 Inlet Street, Seldovia, Alaska.

The findings of the September 11, 2018 building application were as following:

Fixing all weather wood top deck, replacing stairs and railings and bottom deck.

Bottom and top deck setbacks are 6' from the north border.

Deck setback is the required 20' from the west border

Top deck is pre-existing

3 parking spaces are available.

Inlet Street is a 15' Right of Way; it is also the ROW adjacent to the property in question. According to Seldovia Municipal Code, the Waterfront Commercial Residential District requires a setback of five feet from all rights of way and the requested building permit application dated

September 11, 2018 does not meet that requirement. When physically inspecting Inlet Street, the measurements from the north side of Inlet Street across to the property line of 221 Inlet Street measured sixteen (16) feet. This is well under the required setback distance required per SMC 18.40.070.

18.40.070 Building Setback. In the WCR District, building setback requirements shall be as follows:

A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

In our May 21st meeting, it was contended by you and your letter dated May 8, 2019, that the construction was a replacement of the old decks that were there previously and "the structure on lot 9, block 3 is a nonconformity structure. In which case, a building permit is not required to repair the existing decks (per code 18.84 City of Seldovia)."

Both Heidi Geagel, our city clerk and myself challenged this reasoning, stating that while the decks previously built were non-conforming, that under SMC 18.84.040 Nonconforming Uses:

18.84.040 Nonconforming Uses. Nonconforming uses are subject to the following provisions:

A. No structure shall be altered except as permitted in this zoning code.

B. Nonconforming uses shall not be extended to occupy any land outside nonconforming structures.

C. When a nonconforming use is discontinued for 1 (one) year, the use shall not thereafter be permitted except in conformance with the regulations of this zoning code.

D. When a nonconforming structure is destroyed, all associated nonconforming uses shall be deemed terminated.

E. The nonconformity shall not be moved to any other portion of the lot or the parcel.

The property at 221 Inlet Street has been vacant for well over one year prior to your ownership as SMC 18.84.040(c) provides. In addition to this point, SMC 18.84.040(D) provides that once a nonconforming structure is destroyed, all associated nonconforming uses shall be deemed terminated. As you indicated, the former nonconforming deck was destroyed previously and replaced by you; thus, violating SMC 18.84.040.

As we also discussed in our May 21st meeting, while the option of applying for a variance to mitigate the issue may exist, per SMC 18.76.010 Intent. "A variance may be granted to provide relief when a literal enforcement of this zoning code would deprive a property owner of the reasonable use of his property."

However, SMC 18.76.020 Conditions Precedent to Granting a Variance also states, "C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance."

With all of these elements as presented, it is our continued position to decline your building permit application as submitted, and request that the portion of the deck on the north side of the 221 Inlet Street property to be removed.

If you feel that these conclusions are incorrect, you have the ability to file a grievance under SMC 18.90.

18.90.010 Intent. The purpose of this chapter is to create a starting point of a process to be used by the public to bring forth lot line, roadway, right-of-way, easement or physical property issues to City leaders while providing for a tracking mechanism and written documentation of any subsequent actions that might have an effect on the subject issue.

18.90.020 Application. The application for Lot Lines, Roadways, Rights of Way, Easement and Physical Property Issue shall be filed with the City Office.

18.90.030 Procedure. Procedures shall be as follows:

A. If the application is in order, it will then be forwarded to City Council and/or Planning and Zoning for consideration.

B. All required documents per the application shall be submitted as a single package.

18.90.040 Time Limitations. A. Applications received the Thursday prior to a Council or Planning & Zoning meeting will be held until the next meeting date.

B. Variances, Conditional Use Permits, or easements, are possible actions the Council or Planning Commission could require to resolve your issue. Those documents require a minimum of 30 business days to process, and fees apply. (Ord. 16-07)

Enclosed is a "Lot lines, Roadways, Rights of Way, Easement, and Physical Property Issues" application. Please read and submit the completed application package to our offices for consideration. Once the application and required documents are submitted, our clerk will be in contact with you regarding scheduling and when the item will be addressed at the Planning and Zoning meeting.

Thank you for your understanding and continued resolve to address this issue.

Kind Regards,

Cassidi Cameron

Cassidi Cameron
City Manager

May 8, 2019

City of Seldovia
ATTN: Cassidi Cameron, City Manager
Box B
Seldovia, AK 99663


RE: Decks on lot 09, block 3

Dear Ms. Cameron,

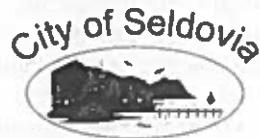
After review of the City of Seldovia code of ordinances, it appears the structures (decks) were existing prior to adoption of zoning code 18.84 (adopted May 27, 1998). Therefore, the structure on lot 9, block 3 is a nonconformity structure. In which case, a building permit is not required to repair the existing decks (per code 18.84 City of Seldovia).

I have stopped by your office several times to discuss this matter with you and share numerous pictures that were taken of the structures (decks) before any repairs were done. I will be in Seldovia the week of May 20th – May 24th and would appreciate a time to meet with you concerning this matter. You may reach me at 907-299-6177.

Sincerely,



Justin Cole



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

May 01, 2019

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

Notice was sent October 6, 2018 and on February 13, 2019 that your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** was denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

Per **SMC 18.40.070 Building Setback**. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

A variance for the decks(s) has not been received and/or the deck(s) have not been removed, as previously discussed.

There is a \$500.00 penalty for failure to obtain a building/site development permit for new structure or alteration, along with a fifty-dollar late fee in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office.

Per **SMC 17.04.020 Building Permits**.

17.04.020 Building Permits. A. Required. No person shall make any exterior structural change in or addition to any building, or construct any new building or structure, exempting unattached structures of one hundred square feet or less, within the city without first securing a building permit. Decks and docks to be constructed into a body of water or intertidal zone shall

require a Seldovia building permit and all applicable permits Violation of this section shall be subject to the fine listed in the fine schedule in Section 1.08.040 of this Code. A form is available at the city office if an individual questions whether or not a building permit is required. A verbal response from city staff or individual Seldovia Planning and Zoning Commission members to build without a permit is not acceptable. A written response containing reasons why the individual is exempt from building permit requirements must be obtained from the official who interprets the code. (Ord. 16-06; Ord. 17-06)

B. Application Fee. Upon receipt of a one hundred dollar fee (\$100.00), a permit application shall be issued by the City Clerk. If the plan or description of the proposed construction is approved by the Seldovia Planning Commission, or the City Manager, and would not violate any ordinance or regulation of the City or any governmental agency, a building permit will be issued. If a building permit is denied and the applicant re-submits the application with changes to Planning Commission, the one hundred dollar (\$100) application fee must be paid again. For other than houses; workshops, garages and sheds under 400 square feet; pay the fee of fifty dollars (\$50) for the building permit. No fee is required for 100 square feet or less. (Ord. 97-5 Sec. 2 (part), 1997: prior code Sec. 5.020; Ord 10-05 Sec 1, 2010)

C. Late Fees. If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

D. Time Limit for Commencement. If the project has not commenced within one year of the permit issue date, the permit becomes null and void and a new building permit must be applied for.(Prior code Sec. 5.020; Ord. 89-13; Ord. 97-05; Ord. 00-07)

A \$500.00 penalty followed by a fifty-dollar late fee has been applied to your account, and will be followed by a levy of ten dollars a day until the issue is resolved.

For further information please stop by the city office or call (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

February 13, 2019

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

Notice was sent October 6, 2018 that your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** was denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

Per **SMC 18.40.070 Building Setback**. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

The City of Seldovia has not received a response to the denial; a variance for the decks(s) has not been received and/or the deck(s) have not been removed.

Per **SMC 17.04.020 Building Permits. (C)**

C. **Late Fees.** If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

Please respond to this denial with in thirty days of receipt or a fifty-dollar late fee will be applied followed by a levy of ten dollars a day until the issue is resolved.

For further information please stop by the city office or call (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

October 06, 2018

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

After review of your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** it has been denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

18.40.070 Building Setback. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

A variance for the deck(s) may be requested from the Planning Commission from the legal property owner(s) and I have enclosed the form along with this letter for your review, otherwise the deck(s) must be removed immediately to avoid further financial penalty (SMC 17.04.020).

Please stop by the office or call for further information (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
 Phone: (907) 234-7643, Fax: (907) 234-7430
 Email: cityclerk@cityofseldovia.com

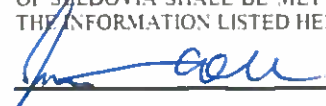
BUILDING PERMIT APPLICATION (A)

FEE: \$100.00

FEE: \$50.00 for buildings under 400 square feet, no fee for buildings under 100 square feet

JOB ADDRESS: 221 Inlet Street			
LEGAL DESCRIPTION:	LOT NUMBER	BLOCK	TRACT
19201310	9	3	T 85 R
OWNER:	MAILING ADDRESS	PHONE NUMBER	
Justin Cole	33730 Justinct Home AK 99603	907-299-6177	
CONTRACTOR:	MAILING ADDRESS	PHONE NUMBER	LICENSE NUMBER
self			
USE OF BUILDING:		ZONING OF LOT:	
House		Waterfront com/RCS	
CLASS OF WORK:	NEW	ADDITION	<u>ALTERATION</u> REPAIR MOVE REMOVE
DESCRIBE WORK: Fixing All weather wood on Deck replacing water Dancer 2 post replaing stairs & railings			
VALUATION OF WORK: To make it safe To use Deck & Entry/Exit of House			

CONSTRUCTION MATERIAL: All weather wood	SIZE OF BUILDING, TOTAL SQ. FT. (including building overhang): 410
NO. OF STORIES: TWO	NO. OF DWELLING UNITS: one
NO. OF OFF-STREET PARKING SPACES: 3	CONSTRUCTION START DATE: Already Aug-21

I HEREBY CERTIFY THAT ALL BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY AND FIRE CODES OF THE CITY OF SELDOVIA SHALL BE MET BY THIS CONSTRUCTION AND THAT THE INFORMATION LISTED HERE IS CORRECT.  SIGNATURE	FOR CITY USE ONLY DATE REC: _____ RECEIPT NO: _____ RECEIVED BY: _____ APPROVED: _____ DENIED: _____ DATE: _____ SITE PLAN NO: _____ FEE AMT: _____
	DATE 9-11-18

**City of Seldovia
Building Permit Application Review Checklist**

- Item Waterfront
1. This project is in an area zoned: Com/RCS
 2. The use of this project is: Viewing/Entry/Exit
 - 2a. This is a *Permitted Use* in this zone: yes no¹ Off Home
 3. The *Lot Size* of this project is: 410 square feet
 4. This project will bring the total *Lot Coverage* to: 75 %
 5. The number of *Parking* and/or *Loading Spaces* is: 3
 6. The *Building Setback* of this project is: ~~0 FT~~ 6 FT
 7. The *Building Height* of this project is: ~~6 FT~~ 5 FT
 8. Does this project meet the required building code *Performance Standards*?
 yes no² not applicable
 9. Does this project meet the *Visibility at Access Points and Intersections* requirement? yes no³ not applicable
 10. Does this project meet any *Special Requirements*?
 yes no⁴ not applicable
 11. The permit package being submitted includes the required drawings.
 yes no

Applicant Initial	Planning & Zoning Review
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	

¹ If you answered No to question 2a, STOP. Do not complete your application until you have reviewed the relevant zoning ordinance sections concerning conditional use, variances and contract zoning.

² If you answered No to question 8. STOP. Do not complete your application until you have reviewed the Performance Standards requirements in the relevant zoning ordinance sections.

³ If you answered No to question 9, STOP. Do not complete your application until you have reviewed the Visibility at Access Points and Intersections requirements in the relevant zoning ordinance sections.

⁴ If you answered No to question 10. STOP. Do not complete your application until you have reviewed the Special Requirements paragraph in the relevant zoning ordinance sections.

INSTRUCTIONS TO APPLICANTS

Please provide the following information in the space below:

Actual lot size

Location of proposed construction

Dimensions of all buildings & proposed construction

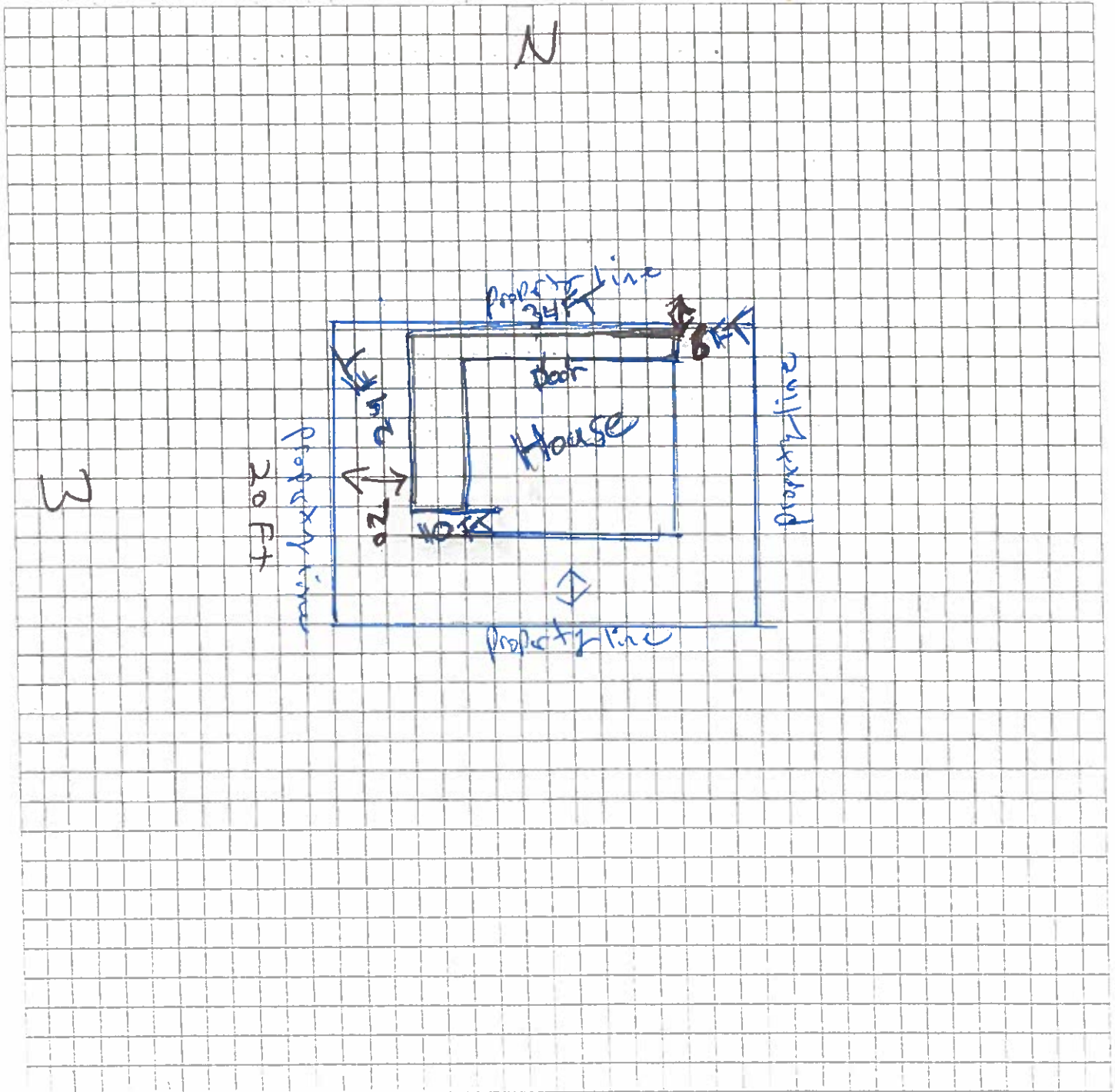
Location of existing building on site

Location of required parking spaces

Setback dimensions from all property lines

Area of site occupied by buildings: 960

Graph square are 5' x 5' or 1"=20'



City of Seldovia: Building Permit Requirement Flow Chart

Proposed Construction: New Structure

Is the proposed unattached structure larger than 100 square feet?



Will the use of the proposed structure violate the permitted uses in its zoning district?



Will the lot coverage of the proposed structure cause the total lot coverage to exceed the allowed total lot coverage in its zoning district?



No Permit Required

Proposed Construction: Change Existing Structure

Will the proposed construction change the use of the structure?



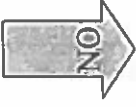
Will the proposed construction change the lot coverage of the structure (includes decks, stairways, overhangs, etc.)



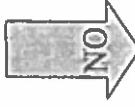
Will the proposed construction change the structure's lot line setback?



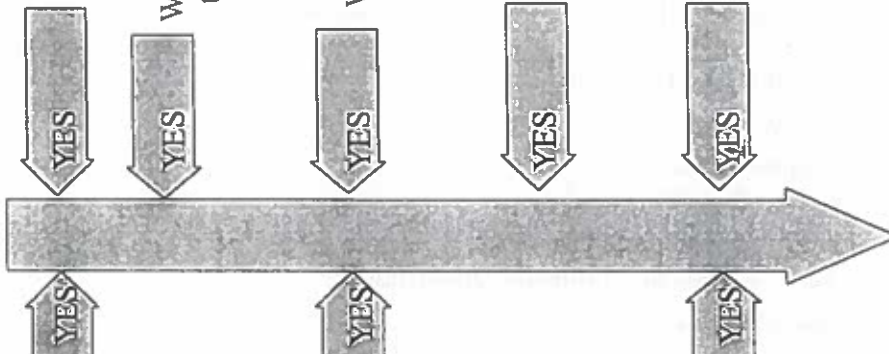
Will the proposed construction change the structure height?



Will the proposed construction change the required performance standards for the structure?



No Permit Required



YOU MUST APPLY FOR A BUILDING PERMIT

I understand the permit requirement for my proposed construction.

Owner Signature

John Cole

I authorize the above signer to build without a permit, as no permit is required.

City Official Signature

9-11-18
Date

Date



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663

Phone: (907) 234-7643, Fax: (907) 234-7430

Email: seldcity@xvz.net

BUILDING PERMIT APPLICATION

Required Drawings: The following list indicates the minimum number and type of drawings that must be submitted with your application. Failure to submit these drawings with your application may result in delays in the permit process and possible additional fees.

1. A map of the lot location in the city (Available at the City Office)
2. A lot plot showing all of the following:
 - Actual lot size and shape
 - Location of proposed construction
 - Location of required parking spaces
 - Location of existing structures on the site
 - Dimensions of structures and proposed construction
 - Setback dimensions from all property lines
3. A floor plan of the construction which clearly indicates the proposed use of the structure

Recommended Drawings: The following list depicts drawings that you may submit in order to provide additional information on the proposed construction. Furnishing these additional details may help prevent delays in processing your application.

1. Plan views of the proposed construction building showing front, side, and rear views
2. Construction details which identify the type of materials and technique of the project
3. Drawings which detail any other aspect of building code compliance



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: seldcity@xvz.net

Building Permit Application Frequently Asked Questions

1. **Do I need a building permit?** Title 17 of the Seldovia Municipal Code states that building permits are needed for “any exterior structural change in or addition to any building, or construction of any new building or structure, exempting unattached structures of 100 square feet or less.” anywhere within the city limits or at the airport. This includes the addition of walkways, decks, wall bump-outs, stairways, or any other modification to a structure that affects the lot coverage.
2. **Is there a building code that applies to my project?** Yes. Title 17 also establishes a building code, electrical code, plumbing code, mechanical code, building efficiency standards, and a fire prevention code that all construction within the city must meet.
3. **Will my building project be inspected?** Who will be checking up on my compliance with the codes? The city does not employ a building inspector. This is why you are required to submit your plans to Planning & Zoning for review of your code compliance. The city manager is charged with enforcement of the city ordinances, and penalties exist for violations. Your lending institution may require inspections by a certified ICBO inspector.
4. **What other city regulations does my building project have to comply with?** Title 18 of the Seldovia Municipal Code establishes the city zoning codes. These regulate location and use of all buildings within the city. It is the responsibility of the landowner to review these codes and insure that his planned project is in compliance. Copies are available in the city office.
5. **What restrictions or requirements apply to my project?** These restrictions and requirements are spelled out in Title 18. There is a Building Permit Application Checklist in your permit package that will help you review them.
6. **Will I need a survey?** No. The City of Seldovia does not require a survey, but you are responsible for siting your project accurately on your lot. You may be required to move or remove a structure that is in violation. Your lending institution may require an as-built survey.

7. **Do I need architectural drawings or blueprints?** No, you do not need professionally prepared drawings. You may prepare the required drawings yourself, so long as they cover all the specified aspects of your project. The state does have separate regulations requiring professional certified plans that apply to commercial structures, and Planning & Zoning will not consider a commercial application until state regulations are met. Your lending institution may require professional, and/or certified plans.
8. **Where can I get help with my application?** The place to start is at the city clerk's office. The clerk will provide you with an application package and information concerning building codes and zoning ordinances. You are always welcome to submit your questions to Planning & Zoning at their monthly meetings while you are still in the planning phases of your project. P&Z would far rather work with you to help you comply with the laws than to have to turn down your application.
9. **Do I have to be at the Planning & Zoning meeting when my permit application comes up for approval?** No. You should understand, however, that if Planning & Zoning has questions about your plans, approval may be delayed until the following monthly meeting for your answers. A reapplication fee may also apply. Therefore, it is in your interest to be at the meeting to offer additional comment if required.
10. **What if I'm in a hurry due to weather/materials/logistics and I have to start my project before I can get a permit?** Your building permit application should be part of your long-range construction planning. You are responsible for obtaining the permit before you begin, and penalties exist for building without it.
11. **Won't submitting this permit application raise my taxes?** No. The Borough has its own procedures for identifying new construction, and they review projects within the city annually on their own.
12. **I'm not going to fill in all the parts of the forms 'cause this is just Seldovia and you guys already know the answers. Okay?** No. Incomplete applications cannot be reviewed in a timely manner by Planning & Zoning, which will result in approval delays and may cost you a reapplication fee. It really is more efficient to fill it all in correctly the first time.



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: selcity@xyz.net

BUILDING PERMIT CHECKLIST

If you are planning to build a new structure or to add to an existing structure, please use the following checklist to make sure your building permit meets all of the Planning and Zoning requirements.

- Have your lot surveyed to be sure you are not violating boundaries. (this is advised, not required)
- Check with the City office to be sure you know how your property is zoned and that you comply with the restrictions of that zoning. You will be responsible for meeting regulations relating to:
 1. Permitted uses or prohibited uses
 2. Performance standards
 3. Conditional use
 4. Minimum lot size and width
 5. Parking area
 6. Lot coverage
 7. Building setback
 8. Visibility at access points and intersections
 9. Building height
 10. Special requirements
- Submit a complete application, with owner's signature, for building permit with \$20.00 fee to the City Office.
- Drawings are legible and able to be photocopied. (no pencils)
- Map of lot location in the City.
- Map showing how the building will sit on the lot.

BE ADVISED:

If you choose to start building before approval of plans, you will be responsible for any corrections made by the Planning and Zoning Commission.

No structure may be occupied within the City limits that does not have proper water and sewer connections.

The Planning and Zoning Commission meets on the first Wednesday of every month. After your application is turned in, it will be reviewed at the next scheduled meeting. It is helpful to all parties involved if you are present at that meeting to answer any questions the committee might have.

It is the responsibility of the applicant/owner to ensure that these plans meet the regulations of the Uniform Building code, the National Fire Protection Agency and all other Federal, State, and Borough codes.

Commercial Addendum:

See Alaska State Fire Marshal Codes



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643 Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

September 4, 2018

RE: Building Permit Required

Dear Property Owner,

It has been brought to our office's attention that there is construction taking place on your property located at: 224 Inlet Street. According to Seldovia Municipal Code, a building permit needs to be on file and approved in our offices prior to the beginning of construction.

Seldovia Municipal Code States:

17.04.020 Building Permits. A. Required. No person shall make any exterior structural change in or addition to any building, or construct any new building or structure, exempting unattached structures of one hundred square feet or less, within the city without first securing a building permit. Decks and docks to be constructed into a body of water or intertidal zone shall require a Seldovia building permit and all applicable permits Violation of this section shall be subject to the fine listed in the fine schedule in Section 1.08.040 of this Code. A form is available at the city office if an individual questions whether or not a building permit is required. A verbal response from city staff or individual Seldovia Planning and Zoning Commission members to build without a permit is not acceptable. A written response containing reasons why the individual is exempt from building permit requirements must be obtained from the official who interprets the code. (Ord. 16-06; Ord. 17-06)

B. Application Fee. Upon receipt of a one hundred dollar fee (\$100.00), a permit application shall be issued by the City Clerk. If the plan or description of the proposed construction is approved by the Seldovia Planning Commission, or the City Manager, and would not violate any ordinance or regulation of the City or any governmental agency, a building permit will be issued. If a building permit is denied and the applicant re-submits the application with changes to Planning Commission, the one hundred dollar (\$100) application fee must be paid again. For other than houses; workshops, garages and sheds under 400 square feet; pay the fee of fifty dollars (\$50) for the building permit. No fee is required for 100 square feet or less. (Ord. 97-5 Sec. 2 (part), 1997; prior code Sec. 5.020; Ord 10-05 Sec 1, 2010)

C. Late Fees. If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars

will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

D. Time Limit for Commencement. If the project has not commenced within one year of the permit issue date, the permit becomes null and void and a new building permit must be applied for. (Prior code Sec. 5.020; Ord. 89-13; Ord. 97-05; Ord. 00-07)

Failure to obtain a building/site development permit for new structure or alteration carries a fine of \$500.00 per occurrence.

Our Accounts Receivables has billed you for the \$50.00 late fee per SMC. Please submit a building permit application within ten days of receipt of this letter in order to avoid further penalties and fines.

Best Regards,



Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: cityclerk@cityofseldovia.com
www.cityofseldovia.com

June 10, 2015

Brent & Raewyn Weyer
PO Box 121
Seldovia, Alaska 99663

RE: Variance request for Lot 8, Block 3, Townsite of Seldovia (226 Watch Point Drive) Seldovia, Alaska
ZONED: Waterfront Commercial Residential
PARCEL NUMBER: 19201308
DESCRIPTION OF THE VARIANCE REQUESTED: Add a deck to a nonconforming structure

1. A literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district
2. Special conditions and circumstances exist which are peculiar to the land and structures involved and which are not applicable to other lands and structures in the same district.
3. The special conditions and circumstances have not been caused by actions of the applicant

Dear Brent & Raewyn Weyer,

At the June 3, 2015 Planning Commission meeting, the Commission voted to approve your Variance Request contingent upon the following:

- **Allowing the owners to construct a ten foot wide deck around the waterside of the 'boathouse', upon an approved building permit application.** (attached is a building permit application)
- **This variance shall be in effect for the life of the structure.**

Please call with any questions, or if you need further assistance.

Sincerely,

Mary K. Klinger
City Clerk

LEVESQUE LAW GROUP, LLC

Joseph N. Levesque
Shane E. Levesque, Of Counsel

3380 C Street, Suite 202
Anchorage, Alaska 99503

Phone: (907) 261-8935
Fax: (206) 309-0667
Email: joe@levesquelawgroup.com

MEMORANDUM

TO: Tim Dillon, City Manager

FROM: Joseph N. Levesque, City Attorney *JNL*

DATE: April 23, 2015

RE: Planning and Zoning – Conditional Use Permit vs. Variance
Our File No. 6672-21

I. BACKGROUND INFORMATION

An Application for a building permit was submitted to the City of Seldovia ("Seldovia" or "City") during November 2013. The applicants, Brent & Raewyn Weyer ("Weyer") requested the permit in order to add a deck around their existing boat house. After review by the Seldovia Planning Commission ("Commission"), the Application for a building permit was denied because the existing boat house was a Nonconforming Structure under Seldovia's City Code of Ordinances ("SCC").

Following discussions with the City, the Weyer's next requested that the City vacate the Right of Way (Main Street) on their property line and vacate the Alley on their property line.¹ The requests to vacate the Right of Way and Alley was set to be addressed by the Commission on December 17, 2014, but was postponed to be determined during the February 18, 2015 meeting. At the February 18, 2015 meeting, the Commission determined that vacation of the Right of Way and Alley might not provide the solution to approve the Application, and further would be inconsistent with Seldovia's policy not to waive access to any waterfront or beach property.

During the February meeting, the idea that a Conditional Use Permit might allow the Weyer's to construct the deck was first raised. A draft Conditional Use Permit was prepared and brought up during the Commission's March 11, 2015 meeting. However, a question was posed during the meeting whether or not a Variance should be used rather than a Conditional Use Permit. This memorandum responds to that question.

¹ See: Letter to City Manager dated February 11, 2015.

Tim Dillon, City Manager
April 23, 2015
Page | 2

II. ISSUE

What are the differences between a Conditional Use Permit and a Variance under SCC, and which should be considered by the Commission in determining the Weyer's request?

III. SHORT ANSWER

A Conditional Use Permit ("CUP") is a special use exception that a property owner requires but is not allowed as a matter of right within a zoning district. A Variance is an "escape hatch" or "safety valve" to prevent hardship. The Commission should review and determine the Weyer's request pursuant to a Variance.

IV. THE LAW

Pursuant to SCC Section 18.72.010:

It is the intent of this section to provide the flexibility necessary to permit a use within a district under specified conditions that are in addition to regulations applying to uses permitted outright within the district. **Only uses which have been listed as conditional uses for each district may be permitted under this chapter.** (Emphasis added).

As pointed out in the Minutes of the March 11, 2015 Commission meeting, the conditional use listed for the Waterfront Commercial Residential District addresses signage only. Accordingly, without a change in the Ordinance itself, a CUP cannot be used to allow the Weyer's to build the deck, as the only authorized use in that District is for signage.

Alaska law case law has held:

It is established in zoning law that general zoning ordinances, while designed to encourage the best overall use of land in a city or borough, may not be well adapted to deal with unusual individualized situations which sometimes occur and result in more stringent burdens being placed on some parcels of land than on others. Variance provisions thus fulfill a sort of "escape hatch" or "safety valve" function for the individual landholder who would suffer special hardships from the literal application of the terms of a particular zoning ordinance.²

² *City and Borough of Juneau v. Thibodeau*, 595 P.2d 626, 632 (Alaska 1979)(footnotes omitted).

Tim Dillon, City Manager
April 23, 2015
Page | 3

Therefore, rather than a CUP, the granting of a Variance is required to allow the Weyer's to build the deck. SCC Section 18.76.010 provides:

A variance may be granted to provide relief when a literal enforcement of this zoning code would deprive a property owner of the reasonable use of his real property.

When applying for a variance, the burden of proof is on the applicant to prove all of the conditions precedent.³ Pursuant to SCC, all of the following conditions must be proven and found by the Commission in order for a variance to be granted:

1. A literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district.
2. Special conditions and circumstances exist which are peculiar to the land or structures involved and which are not applicable to other lands and structures in the same district.
3. The special conditions and circumstances have not been caused by actions of the applicant.⁴

SCC goes on to provide other considerations in granting a variance, specifically:

- B. Financial hardship or inconvenience shall not be the reason for granting a variance.
- C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance.
- D. A variance shall be the minimum variance necessary to permit the reasonable use of the land or structure.
- E. A variance shall not be granted which will permit a land use in a district in which that use is otherwise prohibited.⁵

It is important when reviewing the request for a variance, that the Commission make findings that support its decision. As stated by the Alaska Supreme Court, "The duty of the board of adjustment was to reach a decision on the variance request that is

³ See generally: *Tweedy v. Matanuska-Susitna Borough Board of Adjustment and Appeals*, 332 P.3d 12, 20 (Alaska 2014).

⁴ SCC Section 18.76.020 (A).

⁵ SCC Section 18.76.020 (B) – (E).

Tim Dillon, City Manager
April 23, 2015
Page | 4

supported by substantial evidence.”⁶ Meaningful findings are necessary to show that the Commission’s decision is based upon substantial evidence.

V. CONCLUSION

A variance is the best method for the Commission to consider in reviewing the Weyer’s request to build a deck. The City Code provides the requirements that must be satisfied in order to grant a variance. The burden of proof is on the applicant and the Commission’s decision should be supported with findings so that any one reviewing the decision may conclude that the decision is supported by substantial evidence.

I remain available to discuss this matter with you. Please do not hesitate to contact me if you have additional questions or concerns.

⁶ *Fields v. Kodiak City Council*, 628 P.2d 927, 933 (Alaska 1981)



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: cityclerk@cityofseldovia.com

April 24, 2015

Brent & Raewyn Weyer
PO Box 121
Seldovia, Ak. 99663

Subject: Request for vacation of city streets

I am sending you an application to apply for a variance. Please supply the necessary information on the form. I have also included the Seldovia City Code pertaining to variances and the codes for your zoning district.

The Planning Commission will be meeting May 6th at 7:00 pm. Your request is on that agenda. Please complete the variance application to be presented at the May 6th regular meeting. A variance may be granted to provide relief from the zoning code and allow a reasonable use of your real estate. A variance request requires public comment period of 30 days, prior to the Planning Commission approval.

Thank you.

Mary K. Klinger
City Clerk

CITY OF SELDOVIA
VARIANCE PERMIT
APPLICATION FORM
FEE: \$200

Owner Name: Brent & Raewyn WEYER

Mailing Address: P.O. Box 121, Seldovia, AK 99663

Legal description of lot/lots: Lot 8 Block 3, 226 Watch Point
Drive and Tide Lot T-1A

Zoning District of lot/lots: Commercial/Residential

Description of neighboring land use: Commercial/Residential

We have a unique situation due to our lots being separated
by a ROW (Not Constructable). The building we wish to build
Description of the variance requested: a deck on is old (built by a previous
owner) but is sound. It is built on poles over the water.
we wish to enhance the look of the building and
allow us to use it more by building a ten foot
deck on 2 sides - see attached survey. Our property
is highly visible to all persons living or visiting our
village by sea.

Zoning code section which applicant wishes to deviate from: 18.40.070.

Written response to all of the following conditions (Attach extra pages to this application):

- A. All of the following conditions shall be found before a variance may be granted:
 - 1. A literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district.
 - 2. Special conditions and circumstances exist which are peculiar to the land or structures involved and which are not applicable to other lands and structures in the same district.
 - 3. The special conditions and circumstances have not been caused by actions of the applicant.
- B. Financial hardship or inconvenience shall not be the reason for granting a variance.
- C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance.
- D. A variance shall be the minimum variance necessary to permit the reasonable use of the land or structure.
- E. A variance shall not be granted which will permit a land use in a district in which that use is otherwise prohibited.

[Handwritten Signature]
Signature of land owner

4/30/15
Date

.....
Date Received: 5-1-15 For City Office use only
Receipt No: 58829 P&Z Approval: _____
Public Hearing: 5-6-15 Attest: _____

LOT 9

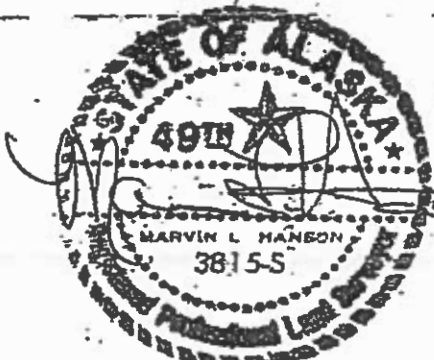
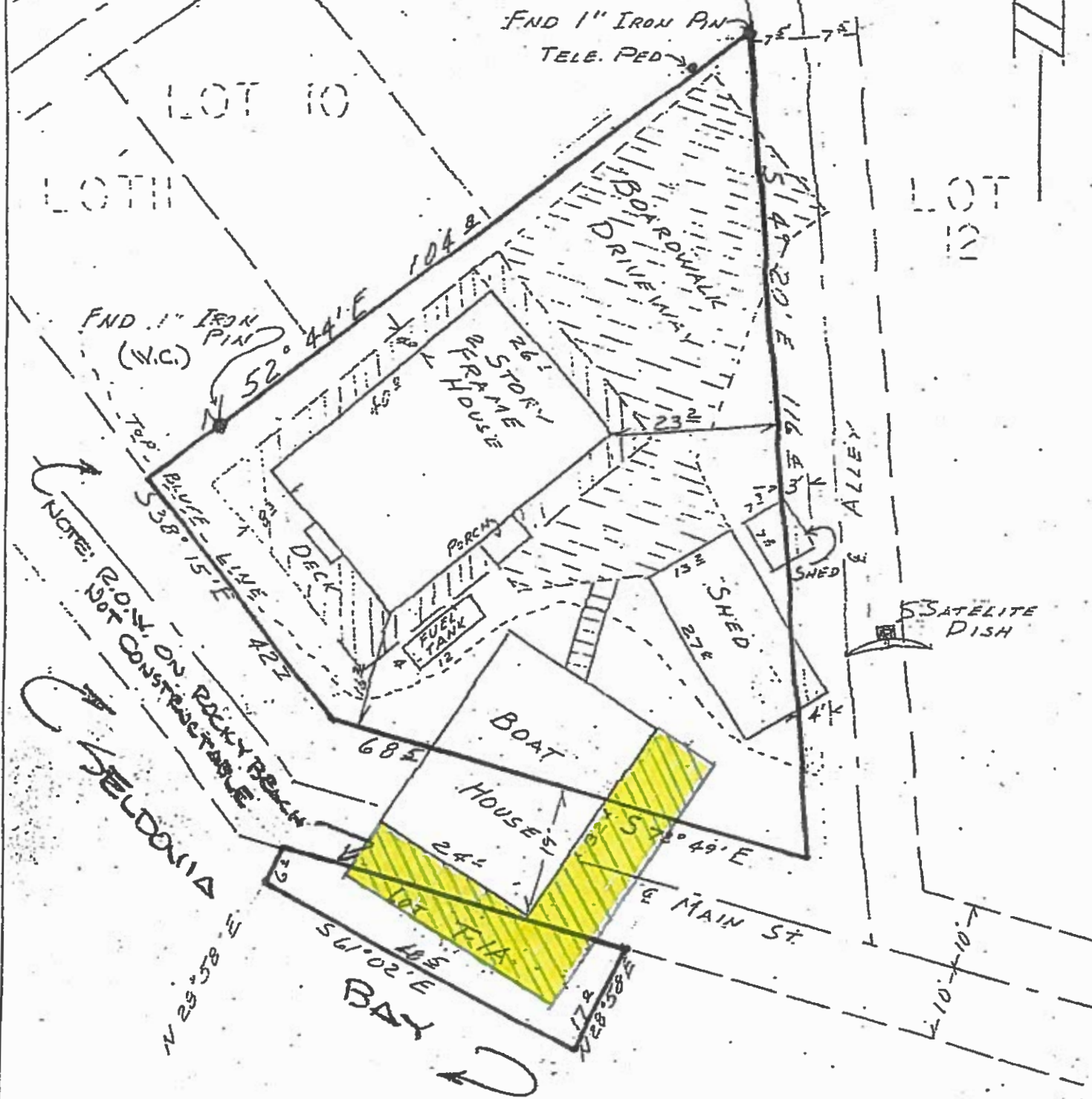
LOT 10

LOT 11

LOT 12

FND 1" IRON PIN
TELE. PED

FND 1" IRON PIN
(W.C.)



4-28-78

10

FBI14	AS BUILT SURVEY
DATE OF SURVEY: 4-25-87	LOT 8, BLOCK 3, USS 1771 SELDONIA TOWNSITE SELDONIA REC. DIST., ALASKA
HANSON & COMPANY REGISTERED SURVEYORS	
BOX 490 HOMER, ALASKA 99603-238-8178	
SCALE 1" = 20'	DATE: 4-28-87 DRAWN: EJP DWG No: E6055-2 HP: E6003 CR No: E6055

**MINUTES FOR THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM**

Wednesday
**May 6, 2015
7:00PM**

- A. **Call to order:** MEETING CALLED TO ORDER BY CARLUCCIO AT 7:02PM
- B. **Roll Call:** PRESENT: HILTS, SENSENIG, STONE, CARLUCCIO
EXCUSED: CAMPBELL
- C. **Approval of the Agenda:**
HILTS, SENSENIG MOVE TO APPROVE THE AGENDA FOR THE REGULAR MEETING, MAY 6, 2015
VOICE VOTE, UNANIMOUS
- D. **Approval of Minutes:**
HILTS, STONE MOVE TO APPROVE THE MINUTES OF THE REGULAR MEETING, APRIL 1, 2015
VOICE VOTE, UNANIMOUS
- E. **Public Comments Regarding Items Not on the Agenda:** None
- F. **Public Hearings, Prior Notice:** None
- G. **Consideration of Site Plans:**
 - 1. Options Concerning Watch Point Drive
 - a. Presentation by Staff or Commission
KLINGER-We did get a legal opinion from the city attorney that is in your packet. We should consider granting a variance. I have already asked Mr. & Mrs. Weyer to fill out a variance application for your consideration.
 - b. Public Presentation or Hearing
RAEWYN WEYER- We would like to add a deck on to the boat house. It is one of the first places people see when they arrive on the ferry. This would dress up the waterfront a bit and also make the building more usable for us.
 - c. Commission Discussion
CARLUCCIO-There are three conditions that are required to grant a variance. As we go through them, let's agree or disagree that all conditions are met.
 - d. Action/Disposition
HILTS, SENSENIG MOVE TO SEND OUT THE PUBLIC NOTICES TO THE NEIGHBORS AND BRING BACK TO THE JUNE MEETING.
VOICE VOTE, UNANIMOUS

2. Review of Title 18, Zoning Codes

a. Presentation by Staff or Commission

KLINGER-At the last meeting we had a discussion of how the conditional use permit applies to each district. I put together a one page recap of that information.

b. Public Presentation or Hearing

c. Commission Discussion

CARLUCCIO-I see this as just one step to the review of the zoning codes, no decisions have to be made tonight, but I would like Mary to put together a recap of the permitted uses by district for comparison.

d. Action/Disposition

NO ACTION TAKEN

H. Commission Business:

1. Issued Building Permits-1, for a woodshed, signed by Campbell

I. Comments of the Audience: None

J. Comments of the Commission:

SENENIG- I will be out of state for the next meeting, but I can be called in. I know we need a vote of four for the variance.

K. Next Meeting: Regular scheduled meeting, June 3, 2015

L. Adjournment: 7:30pm

HILTS, SENENIG MOVE TO ADJOURN THE REGULAR MEETING, MAY 6, 2015

VOICE VOTE, UNANIMOUS



CITY OF SELDOVIA

P.O. DRAWER B * SELDOVIA, ALASKA 99663
Phone: (907) 234-7643 Fax: (907) 234-7430
www.cityofseldovia.com cityclerk@cityofseldovia.com

May 7, 2015

Notice is hereby given that an application for a variance to the Seldovia Municipal Codes, Section 18.84.030, *Nonconforming Structures*

In accordance with Chapter 18.96 of the Seldovia Code of Ordinances, all owners of properties within a 300-foot radius must be notified of the proposed variance. According to Municipal records, you are an owner of property within that radius; or you are an affected party.

1. Location: Lot 8, Block 3, Townsite of Seldovia USS 1771
2. Purpose as stated in petition: Variance to build a deck onto a nonconforming structure. The owners wish to enhance the boat house by building a 10 foot deck on 2 sides (see attached drawing)
3. Petitioner(s): Brent & Raewyn Weyer

The Planning Commission will be considering and acting upon this variance at their regular meeting, **Wednesday, June 3, 2015**. The meeting will be held in the Council Chambers, Seldovia Public Library, 260 Seldovia St., Seldovia, AK, beginning at 7:00PM.

Written comments may be submitted to the attention of Mary Klinger, Seldovia City Clerk's Office – PO Drawer B – Seldovia, Alaska 99663. **Written comments should be received by the City office no later than Friday, May 29, 2015.**

For additional information, contact Mary Klinger, Seldovia City offices 907-234-7643. Fax number is 234-7430.

Mary Klinger
City Clerk

MINUTES FOR THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM
Wednesday
June 3, 2015
7:00PM

A. **Call to order:** MEETING CALLED TO ORDER BY CARLUCCIO 7:03PM

B. **Roll Call:** PRESENT: CAMPBELL, HILTS, SENSENIG(telephonic), STONE, CARLUCCIO

C. **Approval of the Agenda:**

HILTS, CAMPBELL MOVE TO APPROVE THE AGENDA FOR THE REGULAR MEETING, JUNE 3, 2015

VOICE VOTE, UNANIMOUS

D. **Approval of Minutes:**

HILTS, STONE MOVE TO APPROVE THE MINUTES OF THE REGULAR MEETING, MAY 6, 2015

VOICE VOTE, UNANIMOUS

E. **Public Comments Regarding Items Not on the Agenda:** None

F. **Public Hearings, Prior Notice:** May 7, 2015. Notice of Variance Request

G. **Consideration of Site Plans:**

1. Watch Point Drive. Weyer Variance

a. Presentation by Staff or Commission

CARLUCCIO- After this was sent to the attorney, we came with a variance to make it possible for Weyer's to attach a deck to a nonconforming structure.

b. Public Presentation or Hearing

c. Commission Discussion

d. Action/Disposition

HILTS, STONE MOVE TO GRANT THIS VARIANCE TO BE ABLE TO BUILD A DECK

ROLL CALL VOTE:

CAMPBELL-YES

HILTS-YES

SENSENIG-YES

STONE-YES

CARLUCCIO-YES

MAJORITY VOTE: YES

2. Review of Title 18, Zoning Codes

- a. Presentation by Staff or Commission

SWICK-In the packet is a sheet that points out the permitted uses by district to use as a comparison with the conditional uses allowed per district.

- b. Public Presentation or Hearing
- c. Commission Discussion

HILTS- I don't see much that would need to be changed.

CARLUCCIO- I would like to have a workshop at 6:30 before our next regular meeting.

- d. Action/Disposition

NO ACTION TAKEN

H. Commission Business:

- 1. Issued Building Permits-1

This building permit was issued to Jerry Patrick to move a shed and a greenhouse onto her property.

I. Comments of the Audience: None

J. Comments of the Commission: None

K. Next Meeting: Regular scheduled meeting, July 1, 2015

L. Adjournment: 7:38pm

CAMPBELL, HILTS MOVE TO ADJOURN THE REGULAR MEETING, JUNE 3, 2015
VOICE VOTE, UNANIMOUS

**CITY OF SELDOVIA
RESOLUTION 20-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA
AUTHORIZING ACCEPTANCE OF A STATE OF ALASKA DEPARTMENT OF
ENVIRONMENTAL CONSERVATION, VILLAGE SAFE WATER PROGRAM,
GRANT FOR A WASTEWATER COLLECTION AND TREATMENT PRELIMINARY
ENGINEERING REPORT (PER)**

WHEREAS, the City of Seldovia, through Resolution 19-14, approved and accepted a term contract with Village Safe Waster (VSW) Professional Services for a preliminary engineering report and environmental report to recommend improvements for the sewer collection system in January of 2019; and

WHEREAS, VSW works with rural communities to develop sustainable water and sanitation facilities and acceptance of the contract facilitated the pursuit of capital funding for Seldovia's sewer infrastructure; and

WHEREAS, the City of Seldovia has placed water and sewer infrastructure as its highest priority for funding with the State of Alaska Capital Improvement project requests; and

WHEREAS, acceptance of the grant provides funding to conduct a preliminary engineering report and environmental report to produce a recommended alternative to bring the entire Seldovia wastewater system into compliance with secondary wastewater treatment standards; and

NOW THEREFORE: BE IT RESOLVED THAT: The City Council of the City of Seldovia authorizes acceptance of a State of Alaska Department of Environmental Conservation, Village Safe Water Program grant for a Wastewater Collection and Treatment Preliminary Engineering Report.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia, on this 14^h day of October, 2019.

ATTEST:

APPROVED:

Heidi Geagel, City Clerk

Dean Lent, Mayor



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental
Conservation

DIVISION OF WATER
Village Safe Water Program

P.O. Box 111800
Juneau, AK 99801
Main: 907.465.6594
Fax: 907.465.5177
www.dec.alaska.gov

October 3, 2019

Cassidi Cameron, City Manager
P.O. Drawer B
Seldovia, Alaska 99663

Dear Ms. Cassidi,

The State of Alaska, Village Safe Water Program is pleased to offer the City of Seldovia the attached Grant Agreement 20RS13 Wastewater Collection and Treatment PER project in support of our cooperative efforts to develop sustainable sanitation facilities. Please review this Agreement carefully, and if satisfactory, sign the first page titled "Grant Agreement" where indicated. In addition, please sign and complete the last page of the United States Department of Agriculture – Rural Development Grant Agreement, which is attached as Appendix 3 to this Grant Agreement, according to the instruction sheet provided, and return all original signature pages to the following address:

Village Safe Water Program
Attn: Joanne A. Leoncio, Grants Administrator
555 Cordova Street
Anchorage, Alaska 99501

All other attachments should be retained for your records.

Nothing in this Agreement whether accepted or not accepted, may be deemed to constitute an obligation on the part of the Department until the signed Agreement and attachments have been received.

It is important to note that once the Preliminary Engineering Report (PER) has been completed, it must be approved by the Department before the community is eligible to apply for construction funding. Other eligibility requirements for construction funding that must be met include a current Operation and Maintenance Best Practice score of at least sixty (60) points with a minimum of two (2) points each in the Worker's Compensation and Payroll Liability Insurance Best Practices categories. In order to avoid delay in construction, please monitor your Best Practices score closely to ensure that your community maintains the minimum requirements for eligibility. If you require technical assistance in meeting the minimum requirements, please do not hesitate contacting the Department for assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amber LeBlanc".

Amber LeBlanc
Acting Director

G:\Water\ADMIN\Grant Administration\VSW Grants\Seldovia\20RS13

Enclosure: Grant Agreement

cc: Gary Stevens, State Senator
Louise Stutes, State Representative
Sean Lee, Village Safe Water Project Engineer

Approved	Denied
Public Hearing:	10/14/2019
Date Action Taken:	
Attest:	

CITY OF SELDOVIA
ACTION MEMORANDUM 20-01

Title: Confirming the appointment of Kris Lethin to the Seldovia Planning Commission.

Agenda of: October 14, 2019

Originator: Heidi Geagel, City Clerk

Date: 10/04/2019

Route to:	Department Head	Signature	Date
X	City Clerk	<i>Heidi Geagel</i>	10/04/2019
X	City Manager	<i>Camie Colmen</i>	October 7, 2019

Attachment(s):

- Kris Lethin Letter of Interest

Summary Statement:

Kris Lethin has expressed an interest in being appointed to one of the Seldovia Planning Commission's vacancies. Mr. Lethin meets all the qualifications. Once appointed, per Seldovia Municipal Code (SMC) 18.04.020, Mr. Lethin will serve a three-year term.

The term will be set to expire December 31, 2022.

Administration recommendation: Approve Action Memorandum 20-01

From: [Kris Lethin](#)
To: [Dean Lent](#)
Cc: [Heidi Geagel](#); [Cassidi Cameron](#)
Subject: Planning and Zoning Committee
Date: Wednesday, October 2, 2019 9:51:25 AM

This email is my interest and request to serve on the Planning and Zone Committee. Kris

Approved	Denied
Public Hearing:	10/14/2019
Date Action Taken:	
Attest:	

**CITY OF SELDOVIA
ACTION MEMORANDUM 20-02**

Title: City Council Statement of non-objection for the renewal of the S&C, LLC Package Store Liquor License #1019

Agenda of: October 14, 2019

Originator: Heidi Geagel, City Clerk

Date: 10/04/2019

Route to:	Department Head	Signature	Date
X	City Clerk	<i>Heidi Geagel</i>	10/14/2019
X	City Manager	<i>Caristi Cameron</i>	October 7, 2019
X	Finance Officer	<i>Bobie [unclear]</i>	October 7, 2019
X			

Reviewed by City Manager: *Caristi Cameron*

Attachment(s):

- Application Notice #1019
- Complete Application #1019
- KPB Letter of Non-Objection of License Renewal Application #656

Summary Statement:

The S&C, LLC doing business as the Seldovia Liquor Store has applied for a renewal for their Package Store Liquor License #1019. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may waive the right to protest or may file a protest to a request.

Administration recommendation: Approve Action Memorandum 20-02



October 4, 2019

City of Seldovia

Via Email: cityclerk@cityofseldovia.com
jblankenship@kpb.us
tshassetz@kpb.us

Re: Notice of 2020/2021 Liquor License Renewal Application

License Type:	Package Store	License Number:	1019
Licensee:	S&C, LLC		
Doing Business As:	Seldovia Liquor Store		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Seldovia Liquor Store	License Number:	1019
License Type:	Package Store		
Examiner:	<i>Cove</i>	Transaction #:	1148738

Document	Received	Completed	Notes
AB-17: Renewal Application	10/2	10/2	
App and License Fees	10/2	10/2	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response:

LGB 2 Response:

Waive
 Protest
 Lapsed
 Waive
 Protest
 Lapsed



Alaska Alcoholic Beverage Control Board

Package Store License

Form AB-17b: 2020/2021 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing package store liquor license that is due to renew by December 31, 2019. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed and submitted to AMCO's main office before any license renewal application will be reviewed. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	S&C, LLC	License #:	1019
License Type:	Package Store		
Doing Business As:	Seldovia Liquor Store		
Premises Address:	275 Main Street		
Local Governing Body:	City of Seldovia (Kenai Peninsula Borough)		
Community Council:	None		

Mailing Address:	PO Box 42		
City:	Seldovia	State:	AK
		ZIP:	99663

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	Jennifer Swick	Contact Phone:	907-202-1648
Contact Email:	seldovialiquor@icloud.com		

Optional: If you wish for AMCO staff to communicate with an individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:	N/A	Contact Phone:	N/A
Contact Email:	N/A		



Form AB-17b: 2020/2021 Package Store Renewal License Application

Section 2 – Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are **corporations** or **LLCs** must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below is **neither** your EIN/tax ID number, **nor** your business license number. **You may view your entity's status or find your CBPL entity number by using the following site:** <https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	10055534
-----------------------	----------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

JS

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each **shareholder who owns 10% or more** of the stock in the corporation, and for each **president, vice-president, secretary, and managing officer**.
- If the applicant is a **limited liability organization**, the following information must be completed for each **member with an ownership interest of 10% or more**, and for each **manager**.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each **partner with an interest of 10% or more**, and for each **general partner**.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application. **You must list ALL of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.**

Name of Official:	Jennifer Swick		
Title(s):	Member	Phone:	907-202-1648 % Owned: 50
Mailing Address:	PO Box 42		
City:	Seldovia	State:	AK ZIP: 99663

Name of Official:	Chastity Cain		
Title(s):	Member	Phone:	907-202-1938 % Owned: 50
Mailing Address:	PO Box 224		
City:	Seldovia	State:	AK ZIP: 99663

Name of Official:	N/A		
Title(s):	N/A	Phone:	N/A % Owned: N/A
Mailing Address:	N/A		
City:	N/A	State:	N/A ZIP: N/A



Form AB-17b: 2020/2021 Package Store Renewal License Application

Section 3 – Sole Proprietor Ownership Information

Entities, such as corporations or LLCs, should skip this section. This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information.

The following information must be completed for each licensee and each affiliate.

This individual is an: applicant affiliate

Name:	N/A	Contact Phone:	N/A
Mailing Address:	N/A		
City:	N/A	State:	N/A
Email:	N/A	ZIP:	N/A

This individual is an: applicant affiliate

Name:	N/A	Contact Phone:	N/A
Mailing Address:	N/A		
City:	N/A	State:	N/A
Email:	N/A	ZIP:	N/A

Section 4 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

JS

Section 5 – License Operation

Check a **single box** for each calendar year that best describes how this liquor license was operated:

2018 2019

The license was regularly operated continuously throughout each year.

The license was regularly operated during a specific season each year.

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.



Form AB-17b: 2020/2021 Package Store Renewal License Application

Section 6 – Written Orders

Written orders in calendar years 2020 and 2021: Yes No

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2020 and/or 2021? Yes No

Section 7 – Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019: Yes No

Have any notices of violation (NOVs) been issued for this license in the calendar years 2018 or 2019? Yes No

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2018 or 2019? Yes No

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 8 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. JS

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board. JS

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. JS

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Jennifer Swick
Signature of licensee
Jennifer Swick
Printed name of licensee



Heidi Geagel
Signature of Notary Public
Notary Public in and for the State of Alaska
My commission expires: With Term

Subscribed and sworn to before me this 1st day of October, 2019.

Seasonal License? Yes No
If "Yes", write your six-month operating period: N/A

License Fee:	\$ 1500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 1800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

Department of Commerce, Community, and Economic Development
**CORPORATIONS, BUSINESS &
PROFESSIONAL LICENSING**

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database
Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	S & C, LLC

Entity Type: Limited Liability Company

Entity #: 10055534

Status: Good Standing

AK Formed Date: 4/4/2017

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2021

Entity Mailing Address: PO BOX 42, SELDOVIA, AK 99663

Entity Physical Address: 275 MAIN ST, SELDOVIA, AK 99663

Registered Agent

Agent Name: Jennifer Swick

Registered Mailing Address: PO BOX 42, SELDOVIA, AK 99663

Registered Physical Address: 397 ROCKY ST, SELDOVIA, AK 99663

Officials

Show Former

AK Entity #	Name	Titles	Owned
	Chastity Cain	Member	50.00
	Jennifer Swick	Member	50.00

Filed Documents

Date Filed	Type	Filing	Certificate
4/04/2017	Creation Filing	Click to View	Click to View
9/20/2017	Initial Report	Click to View	
10/10/2018	Biennial Report	Click to View	

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License Detail

LICENSE DETAILS

License #: 1067999

[Print Business License](#)

Business Name: SELDOVIA LIQUOR STORE

Status: Active

Issue Date: 03/05/2018

Expiration Date: 12/31/2019

Mailing Address: PO BOX 42
SELDOVIA, AK 99663

Physical Address: 275 MAIN ST
SELDOVIA, AK 99663

Owners

S & C, LLC

Activities

Line of Business	NAICS	Professional License #
42 - Trade	445310 - BEER, WINE, AND LIQUOR STORES	

Endorsements

No Endorsements Found

[Close License Detail](#)

[Print Friendly Version](#)

Approved	Denied
Public Hearing:	10/14/19
Date Action Taken:	
Attest:	

**CITY OF SELDOVIA
ACTION MEMORANDUM 20-03**

Title: Approving the Certification of the FY18 Audit as presented by Altman, Rogers & Co, Certified Public Accountants.

Agenda of: October 14, 2019

Originator: Heidi Geagel, City Clerk

Date: 10/08/2019

Route to:	Department Head	Signature	Date
X	City Clerk	<i>Heidi Geagel</i>	10/08/19
X	City Manager	<i>Camidi Carlem</i>	October 8, 2019
X	Finance Officer	<i>Jackie Taylor</i>	October 8, 2019

Attachment(s):

- Letter to the Governing Board, Year ended June 30, 2018
- Basic Financial Statements, Required Supplementary Information, Additional Supplementary Information, and Compliance Reports, Year Ended June 30, 2018

Summary Statement:

As presented during the October 14th, 2019 regular council meeting.

Kenai Peninsula Borough

Name of Department

MEMORANDUM

TO: KPB Planning Commission
THRU: Max Best – Planning Director
FROM: Scott Huff – Platting Manger
DATE: September 18, 2019
RE: Ordinance 2019-____, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

At the August 26th Planning Commission meeting, Ordinance 2019-_____ Adopting KPB 20.80 Subdivision Private Streets and Gated Subdivision was introduced. The commissioners requested Staff to gather additional information and reviews.

On September 9th e-mails were sent to the following, with a request to review the proposed ordinance and submit any comments.

- Dil Uhlin – KPB Roads Director
- Dan Nelson – Senior Manager, Office of Emergency Management, KPB
- Chief Roy Browning – KPB CES
- Mary Kay Grenier – KPB Assessing, Title Officer
- Mary Broderick – First American Title
- Chris Hough – Stewart Title of Kenai Peninsula Borough
- Kathy Hemstreet – Kachemak Bay Title Agency

No comments were received.

The ordinance was also sent to the Kenai, Soldotna, Homer, and Seward for review and comments. The City of Soldotna and Homer replied and requested KPB Staff meet with the city Staff and/or attend a city planning commission meeting to explain the ordinance and answer any questions.

KPB staff has continued to review the proposed ordinance. **Staff recommends** the following corrections/edits be made to the ordinance and introduced to the assembly.

Date October 8, 2019
To: Planning Commission
RE: Ordinance 2019-_____, Subdivision Private Streets and
Gated Subdivisions

1. Revise 20.80.020.A to read, 'All provisions of KPB Title 20, excluding 20.30.210, must be met and/or shall apply.'
2. Revise 20.80.020.B by removing, 'and KPB 20.30'.
3. Revise 20.80.020.C by removing, 'with having to backup'.
4. Revise 20.80.020.D to read, 'A homeowners' association (HOA is required for approval of private streets within a subdivision. All property owners to be served by the private streets must be in the HOA. The HOA shall own and be responsible for the maintenance of the private streets and appurtenances.
5. Remove 20.80.020.H.1.
6. Remove 20.80.020.H.3
7. Revise 20.80.030.A into two items, remove a portion of 20.80.030.C and combine the remaining code back into 20.80.030.A to read as follows.
 - A. The fire and emergency services provider that serves the proposed gated subdivision must approve the fire and emergency services access plan for each gate prior to installation. The fire and emergency services provider, borough assessing department, borough planning department, and law enforcement shall be provided access.
 - B. The entrances to all private streets shall be marked with a sign stating that it is a private street.
8. Remove 20.80.030.F and 20.80.030.H.
9. Replace a portion of 20.80.040.A with 20.70.040 to follow the same requirements for application submittal as required for right of way vacations. This portion will read as follows

Application – Petition required.

A platted right of way may not be vacated, except upon petition by resolution of the governing body from a municipality in which the property is located or by the owners of the majority of land fronting or abutting the right of way to be vacated. The petition shall be filed with the

Page -2-

Date October 8, 2019

To: Planning Commission

RE: Ordinance 2019-_____, Subdivision Private Streets and
Gated Subdivisions

planning commission. The request shall comply with the applicable replat and vacation requirements and procedures in this title, except as provided otherwise in this chapter.

An updated ordinance is attached. Proposed deletions are ~~strike through~~, and proposed additions are [bracketed].

Page -2-

Date October 8, 2019

To: Planning Commission

RE: Ordinance 2019-_____, Subdivision Private Streets and
Gated Subdivisions

Introduced by: Mayor
Date: 9/3/19
Hearing: 10/8/19
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2019-**

**AN ORDINANCE ADOPTING KPB 20.80, SUBDIVISION PRIVATE
STREETS AND GATED SUBDIVISIONS**

WHEREAS, privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions; and

WHEREAS, Goal 6.5 of the 2005 Comprehensive Plan is to maintain the freedom of property owners in the rural areas of the borough to make decisions and control use of their private land; and

WHEREAS, private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access; and

WHEREAS, there is a need for designated standards and requirements and establishment of procedures for creating gated communities; and

WHEREAS, designating standards, requirements and procedures for establishing private streets within subdivisions with gated access will address residents as well as the public’s privacy, security, and access concerns; and

WHEREAS, the Kenai Peninsula Borough Road Service Area board at its meeting held on August 13, 2019, recommended unanimous approval of this ordinance; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its meeting held on August 26, 2019, recommended _____;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

20.80.010. - Purpose.

This chapter provides standards and requirements for the establishment of private streets in subdivisions in the borough. A subdivision with private streets and gated access may be created at the time of subdivision by the owner of the parcel being subdivided or, where streets have been previously dedicated to the public which access lots in different ownerships, by the owners of those parcels in accordance with the provisions of this chapter.

20.80.020. – Requirements.

Private streets in subdivisions shall meet the following requirements:

- A. The general provisions of KPB Title 14 and 20 as they relate to development, streets and utilities shall apply, except as otherwise provided for in this chapter.
- B. Private streets shall conform to the same standards regulating the design and construction of streets, street naming and street addressing in KPB 14.06, 14.10, 14.20 and KPB 20.30.
- C. A public vehicular turn around shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit without having to backup.
- D. A homeowners' association (HOA) is required for approval of private streets within a subdivision. All property to be served by the private streets must be members in or part of the HOA. The HOA shall own and be responsible for the maintenance of the private streets and appurtenances.
- E. Private streets shall be contained within a separate lot owned by the HOA.
- F. The borough shall not pay for or contribute to any cost to construct, improve, or maintain a private street.
- G. The subdivision final plat and HOA documents shall note that borough maintenance shall not be provided on any private streets.
- H. Gated subdivisions and private streets may be approved, provided they meet the following criteria:

1. Internal streets shall conform to the requirements of KPB 20.30, Subdivision Design Requirements, except as otherwise allowed in this section;
2. Emergency services shall be provided access to deliver services within the private subdivision. Approval by the fire and emergency services provider with jurisdiction in the area of the gated subdivision is required. The fire and emergency services provider must be satisfied that fire and emergency services providers will have safe access into and within the gated subdivision;
3. The requirements of KPB title 20 are met because alternate legal access to adjoining properties is available and that access is constructible in accordance with KPB 20.30, Subdivision Design Requirements and KPB 14.06, Road Standards;
4. There shall be a note on the plat that the streets are not public and are subject to private construction and maintenance;
5. The HOA shall execute a defense and indemnification agreement in favor of the borough in the following form: The HOA shall indemnify, defend, and hold and save the borough, its elected and appointed officers and officials, agents and employees, hereinafter collectively referred to as “agents,” harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys’ fees. The HOA shall be responsible under this clause for any and all legal actions or claims of any character arising from the HOA or the HOA’s acts or omissions related to its private streets and gates in any way whatsoever. This defense and indemnification responsibility includes claims alleging acts or omissions of the borough or its agents, which are said to have contributed to the losses, failure, violations, or damages, except for acts or omissions solely attributable to the borough.
6. The HOA and all of the HOA’s subcontractors, if any, shall be responsible for the purchase and maintenance of all insurance required by law and any other insurance the HOA deems necessary or appropriate.

20.80.030. – Gates

If a gate is installed to prevent public access to a subdivision with private streets the gate shall conform to the following requirements:

- A. Each gate must be approved prior to installation by the fire and emergency services provider that serves the proposed gated subdivision. The entrances to all private streets shall be marked with a sign stating that it is a private street.

- B. Gates, approach and departure areas shall be designed by a licensed professional civil engineer.
- C. In order to allow access for the provision of emergency services, each security gate designed and installed shall be equipped so that access is by a radio operated controller or keypad. The fire and emergency services provider serving the gated subdivision, borough assessing department, borough planning department, and law enforcement shall be provided either radio controlled or keypad access to the subdivision.
- D. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.
- E. After installation, all emergency access systems must be approved by the fire and emergency services providers serving the gated subdivision. The HOA must maintain all components of the gate system in a normal operating condition and have them serviced on a regular basis, as needed, to ensure proper gate operation. A proper power supply shall be provided and maintained to all electrical components at all times. Each electrical vehicular gate must be provided with a fail-open device to open during power failures and be equipped for emergency access.
- F. A public vehicular turn around shall be provided to allow vehicles that have been denied entry the ability to exit without having to backup.
- G. No part of the gate system shall be placed in a public right-of-way.
- H. The HOA is responsible for the gate, its signage and its costs, and shall be responsible for any violations of this section.

20.80.040. – Converting to gated subdivision.

- A. A subdivision HOA may seek to convert a subdivision to a gated community with private street(s) and restrict public access by filing a replat and vacation petition with the planning director, which shall be considered a request to vacate public street(s) and/or right-of-way(s), as well as replat the subdivision. The request shall comply with the applicable replat and vacation requirements and procedures in this title, except as provided otherwise in this chapter.

B. Upon determination by the planning director that the replat application is complete, the request shall be subject to review and approval by the borough planning commission regarding whether the gated subdivision requirements and procedures have been met, as set out in this chapter. The borough planning commission decision is subject to appeal to the hearing officer pursuant to KPB 21.20.

C. Converting public street to private street – standards.

1. Vacation of the public right-of-way shall be in accordance with the criteria set forth in KPB 20.70.
2. The proposed gated subdivision shall not cause discontinuity in the existing or proposed public street system or distribute an unacceptable amount of traffic through an existing neighborhood than would otherwise result if public streets were used. Converted private streets may not unduly impair access to public facilities, including schools, parks and libraries. Utilities proposed for vacation must not provide service to customers outside the proposed gated subdivision boundary.
3. The proposed gated subdivision must not cause discontinuity in the existing or proposed road system to any property owner in the proposed gated subdivision with frontage on the public right-of-way that is to be vacated.
4. Prior to recording the final plat the property owners abutting the vacated public street shall file with the borough fully executed deeds conveying their interest in the vacated street to the HOA.
5. Prior to recording the HOA shall accept the road “as-is” in its present condition and shall agree to indemnify, hold harmless, and defend the borough against any claims arising from the HOA’s ownership, maintenance and control of the converted street.
6. HOA shall execute a defense and indemnification agreement in favor of the borough in the following form: The HOA shall indemnify, defend, and hold and save the borough, its elected and appointed officers, officials, agents and employees, hereinafter collectively referred to as “agents”, harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys’ fees. The HOA shall be responsible under this clause for any and all legal actions or claims of any character arising from the HOA or the HOA’s acts or omissions related to its private streets and gates in any way whatsoever. This

defense and indemnification responsibility includes claims alleging acts or omissions of the borough or its agents, which are said to have contributed to the losses, failure, violations, or damages, except for acts or omissions solely attributable to the borough.

20.80.050. – Converting private streets to public streets in gated subdivision.

- A. The owners of a private street may petition to dedicate the private street through the platting process. The street must meet the design criteria set forth in KPB 20.30 and KPB 14.06.
- B. A civil engineer at the HOA’s expense shall determine whether the private streets meet KPB Title 14 and Title 20 standards for street design and construction. If the streets do not meet borough standards the dedication shall be denied.
- C. The borough may also require, at the HOA’s expense, the removal of any improvements, access control devices, gates, landscaping or other aesthetic amenities associated with the private street.

20.80.060. – Enforcement.

Violations of this chapter shall be in accordance with KPB 20.10.030 and KPB 21.050,

SECTION 2. That KPB Chapter 20.90, entitled “Definitions is amended as follows:

20.90.010. – Definitions generally.

In this title, unless otherwise provided, or the context otherwise requires, the following definitions shall apply.

...

“Gated subdivision” means a residential subdivision consisting of five (5) or more parcels of land where vehicular and/or pedestrian access by the general public from a public street and street(s) within the gated community and/or public right-of-way(s) is restricted as a result of a barrier that may include, but is limited to gates, security personnel, fences or walls. This definition does not include gates or other barriers limiting access to an individual parcel or lot.

...

“Private street” is defined as a vehicular access way shared by and serving two or more lots, which is not publicly maintained, but maintained by a homeowners’ association. The term “private street” shall be inclusive of alleys. The term “street” also includes the term “street” as used in KPB title 14.

SECTION 3. That this ordinance shall become effective upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____, 2019.

Wayne Ogle, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

MEMORANDUM

TO: Wayne Ogle, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor
Dil Uhlin, Roads Director

FROM: Max Best, Planning Director

DATE: August 22, 2019

RE: Ordinance 2019-_____, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

Goal 6.5 of the 2005 Comprehensive Plan is to maintain the freedom of property owners in the rural areas of the borough to make decisions and control use of their private land. Privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions. Private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access.

There is a need for standardization, criteria, and establishment of procedures for creating both subdivisions with private streets and gated subdivisions. This ordinance codifies the requirements and procedures for creating these types of subdivisions.

This matter is scheduled to come before the KPB Road Service Area Board's at its August 13, 2019 meeting and the KPB Planning Commission at its August 26, 2019 meeting. The recommendations of both boards will be presented to the assembly prior to the final hearing on this ordinance.

Your consideration of this ordinance is appreciated.

PROTECT OUR FUTURE

Dear Kenai Peninsula Borough Assembly,

July 2019 was Alaska’s – and the planet’s – hottest month ever. The entire Kenai Peninsula was affected by **massive wildfires** and **droughts**, the City of Seldovia and Village of Nanwalek have declared **water emergencies**, and **record-breaking temperatures** logged in Kenai Peninsula and Cook Inlet streams are **threatening the future of wild salmon runs**.

Considering the extreme climate changes on the Kenai Peninsula and the significant threats they present, I firmly urge the Borough to join communities around the world in creating a **CLIMATE ACTION PLAN** that includes:

ADAPTATION

Regional adaptations to changes, as well as a framework to 1) track environmental changes, 2) their impacts, and 3) the effectiveness of our adaptations.

RENEWABLE ENERGY STRATEGY

A renewable energy strategy with a target of 40% greenhouse gas reduction by 2030, in line with commitments by Anchorage and cities and boroughs around the world.

REDUCE FOOTPRINT

Analysis of regional energy inefficiencies and planned improvements. Strategies to improve recycling infrastructure and composting.

I urge the Assembly to pass a 2019 KPB Comprehensive Plan that includes these measures.

Sincerely,

(Signature)

Printed Name _____

Address _____

City, State, Zip _____

Phone _____

Email _____

Additional Comments:

I wish to opt out from future communication about climate action on the Kenai Peninsula

PROTECT OUR FUTURE

Dear Kenai Peninsula Borough Assembly,

July 2019 was Alaska’s – and the planet’s – hottest month ever. The entire Kenai Peninsula was affected by **massive wildfires** and **droughts**, the City of Seldovia and Village of Nanwalek have declared **water emergencies**, and **record-breaking temperatures** logged in Kenai Peninsula and Cook Inlet streams are **threatening the future of wild salmon runs**.

Considering the extreme climate changes on the Kenai Peninsula and the significant threats they present, I firmly urge the Borough to join communities around the world in creating a **CLIMATE ACTION PLAN** that includes:

ADAPTATION

Regional adaptations to changes, as well as a framework to 1) track environmental changes, 2) their impacts, and 3) the effectiveness of our adaptations.

RENEWABLE ENERGY STRATEGY

A renewable energy strategy with a target of 40% greenhouse gas reduction by 2030, in line with commitments by Anchorage and cities and boroughs around the world.

REDUCE FOOTPRINT

Analysis of regional energy inefficiencies and planned improvements. Strategies to improve recycling infrastructure and composting.

I urge the Assembly to pass a 2019 KPB Comprehensive Plan that includes these measures.

Sincerely,

(Signature)

Printed Name _____

Address _____

City, State, Zip _____

Phone _____

Email _____

Additional Comments:

I wish to opt out from future communication about climate action on the Kenai Peninsula

Executive Summary

OUR VALUES



OUR VISION: WHAT IS OUR FUTURE KENAI PENINSULA?

Keep the Kenai Peninsula a unique, prosperous, vibrant and attractive place to live.



Expand and diversify economic opportunities



Support local food, agriculture and industry



Balance economic benefits of tourism with residents' quality of life



Protect our most important natural resources



Promote fiscally responsible government



Maintain our infrastructure and services

GOALS AND OBJECTIVES

Goal 1. Diversify and grow the Kenai Peninsula Borough economy.

Focus Area: Oil and Gas

- Objective A. Continue support for the oil and gas industry, one of the primary economic sectors in the borough.
- Objective B. Anticipate the workforce development and training needs related to employment demand and qualifications from the oil and gas sector's exploration, development, and production and refining activities and from the potential Alaska LNG liquefaction facility and marine terminal.
- Objective C. Plan for the housing, public services and transportation infrastructure that would be needed to support the Alaska LNG project liquefaction facility in Nikiski.
- Objective D. Encourage efficient use of land, infrastructure and services in areas already supporting the oil and gas sector.

Focus Area: Tourism and Recreation

- Objective A. Support outdoor recreation and tourism opportunities for a wide range of users, to create a strong, enduring borough economy and support resident health and quality of life.
- Objective B. Improve recreational trails, recreational access and mobility.
- Objective C. Protect the quality of recreation and tourism destinations and resources.
- Objective D. Expand the recreation and tourism appeal of borough communities.
- Objective E. Expand recreation and tourism marketing, education and job training opportunities.
- Objective F. Actively build partnerships needed to maintain, improve or expand recreational and tourism facilities and amenities in the borough.

Focus Area: Sportfishing

- Objective A. Support opportunities for sportfishing, including personal use fishing, while protecting the resource.
- Objective B. Protect and enhance the natural systems that support healthy sustainable sportfish habitats and populations.
- Objective C. Support continued sportfish research, monitoring and education efforts.

Focus Area: Commercial Fishing and Seafood Harvesting

- Objective A. Encourage development of seafood industry job opportunities that provide good income and benefits to borough residents.

- Objective B. Support a diverse mix of pre-employment education and training, on-the-job training and ongoing educational programs to improve the employability of borough residents in commercial fishing.
- Objective C. Strengthen development of the borough's commercial fishing industry.

Focus Area: Agriculture and Mariculture

- Objective D. Support a more sustainable and resilient Kenai Peninsula by increasing production and distribution of quality, healthy agricultural products for local, state and export markets.
- Objective E. Sustain and create new agriculture-related jobs and businesses.
- Objective F. Encourage greater local and regional self-sufficiency.
- Objective G. Develop a sustainable mariculture industry and create new opportunities for exports.

Focus Area: Mining

- Objective A. Strengthen the investment climate to support mining in the Kenai Peninsula Borough.
- Objective B. Encourage development of mining and resource development job opportunities that provide income and benefits to borough residents.
- Objective C. Support a diverse mix of pre-employment education and training, on-the-job training and ongoing educational programs to improve employability of borough residents in mining.
- Objective D. Strengthen development of the borough's mining industry.

Goal 2. Proactively manage growth to provide economic development opportunities on the Kenai Peninsula Borough while preserving what residents and visitors value about the area's natural features.

Focus Area: Land Use and Changing Environment

Access to Public Lands, Community Planning, Borough Land Management, Land Use Regulations and Preserving Natural Systems

- Objective A. Establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms.
- Objective B. Develop a stronger local voice in decisions on uses of federal and state lands.
- Objective C. Guide land use at the regional scale to promote economic development, improve public roads and other services and facilities, and maintain environmental quality.
- Objective D. Maintain quality of the borough's natural environment, including protecting visual quality, minimizing development in hazardous

areas, and developing strategies that help reduce and respond to impacts of changing environmental conditions.

- Objective E. Actively work with interested communities outside of the incorporated cities to help develop locally-driven community plans.
- Objective F. Actively manage Borough-owned lands to meet short and long-term regional goals.
- Objective G. Manage beneficial and deleterious effects of climate change impacts.

Focus Area: Hazard Mitigation

See Land Use Focus Area and KPB All-Hazard Mitigation Plan for specific objectives.

- Objective A. Implement recommendations and policies outlined in the Borough's 2019 All-Hazard Mitigation Plan.

Goal 3. Preserve and improve quality of life in the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

Focus Area: Energy and Utilities

- Objective A. Encourage coordination of residential, commercial, and industrial development with extension of utilities and other infrastructure.
- Objective B. Assist communities and residents in generating financing plans for utility extensions.
- Objective C. Support residential, community and regionwide renewable energy initiatives and projects that lower energy costs for borough residents.

Focus Area: Public Safety and Emergency Services

- Objective A. Work with community and agency partners to increase police protection and community safety in the borough.
- Objective B. Support efforts to reduce crime and recidivism, increase successful reentry of ex-offenders, and promote community-based justice.
- Objective C. Continue working with agency and community partners to provide coordinated emergency services to prepare for, mitigate, respond to and recover from natural and human-caused emergencies throughout the borough.
- Objective D. Establish or improve water supply systems to support firefighting operations in areas without central water systems.

Focus Area: Health

- Objective A. Support the health and wellness of all Kenai Peninsula Borough residents and communities.
- Objective B. Encourage seniors to remain active, healthy members of the community.
- Objective C. Support the health care industry as an important economic sector and service provider in the community.

- Objective D. Promote local education and workforce development opportunities in the health care sector.
- Objective E. Support efforts to reduce and prevent deaths and other harms related to substance misuse and addiction.

Focus Area: Housing

- Objective A. Increase supply and variety of affordable housing options in the borough, while managing impacts of growth in communities.
- Objective B. Encourage options for seniors to age in place, maintain affordability of their home, and other options for remaining in the community.
- Objective C. Encourage creation and expansion of a continuum of services to reduce homelessness and prevent risk of homelessness in the borough for youth, families, individual adults and seniors.
- Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.

Focus Area: Solid Waste Services

- Objective A. Provide convenient, cost-effective, environmentally-sound disposal of solid waste generated by residents, businesses and visitors.
- Objective B. Update the *Kenai Peninsula Borough Solid Waste Management Plan*.
- Objective C. Increase awareness of and opportunities for waste reduction and landfill diversion, including “Reduce, Recycle, Reuse.”
- Objective D. Encourage safe handling and disposal of toxic and hazardous waste.
- Objective E. Investigate existing and emerging technologies for safe and efficient long-term waste disposal.
- Objective F. Explore new revenue sources to help finance the solid waste management system operations, capital improvements and innovation projects.

Focus Area: Historic Preservation

- Objective A. Support efforts to identify, document, protect, interpret, and celebrate cultural history and resources in borough communities.
- Objective B. Support efforts to maintain the character of historic towns, districts, and properties while encouraging commercial, tourist, and cultural development.

Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough.

Focus Area: Transportation

- Objective A. Proactively engage with State of Alaska DOT&PF on planned projects, project prioritization, policies and studies.

- Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.
- Objective C. Improve and maintain existing infrastructure.
- Objective D. Work with communities to expand public transportation options and ensure the long-term sustainability of public transportation for all residents.
- Objective E. Develop non-motorized pathways to connect communities with each other and with trails connecting to natural areas and open space.
- Objective F. Support expansion of public and private marine ferries and routes to expand access to borough communities.
- Objective G. Support expansion of dock facilities to support marine repair and maintenance, cruise ship, freight, and ferry operations, and for resource extraction.
- Objective H. Encourage safe, responsible expansion of aviation options for private, commercial, and recreational use.

Goal 5. Create more active and engaged Kenai Peninsula Borough residents, local communities, and a more effective and efficient Borough government.

Focus Area: Education and Workforce Development

- Objective A. Provide high-value, quality educational services to school-age borough residents.
- Objective B. Expand educational and training opportunities that tie directly to anticipated growth industries.

Focus Area: Fiscal Health

- Objective A. Develop a sustainable fiscal plan for funding Borough operations that reduces dependence on uncertain State funding.
- Objective B. Diversify Borough revenues to reduce exposure to single industries or sources.
- Objective C. Develop and apply new fiscal strategies that better link growth in demand for services with revenues needed to pay the cost of those services.

IMPLEMENTATION MATRIX: NEAR-TERM PRIORITY STRATEGIES

NOTE: “Near-Term” strategy indicates a priority to focus on and/or accomplish in the next three years.

Strategy	Lead + Partners
Goal 1. Diversify and grow the Kenai Peninsula Borough economy.	
Focus Area: Oil and Gas	
Objective A. Continue support for the oil and gas industry, one of the primary economic sectors in the borough.	
Strategy 1. Near-Term: Support economic development legislation and programs for the oil and gas industry.	
Strategy 2. Near-Term: Coordinate with Kenai Peninsula Economic Development District and communities to determine the optimum best use for the 630 acres assembled for the Alaska LNG gas liquefaction facility, should the project not move forward.	
Strategy 3. Near-Term: Identify sufficient and contiguous parcels of land suitable for industrial uses to support current offshore activities and proposed Alaska LNG facility.	
Strategy 4. Continue to make available a current list of lands available in the borough at market rent/lease rates for facilities related to the oil and gas sector.	
Objective B. Anticipate the workforce development and training needs related to employment demand and qualifications from the oil and gas sector’s exploration, development, and production and refining activities and from the potential Alaska LNG liquefaction facility and marine terminal.	
Strategy 1. Near-Term: Coordinated outreach by the Borough, Kenai Peninsula College, and Alaska Vocational Technical Education Center to the oil and gas sector to help match employment prospects with educational, workforce development, and training resources.	
Strategy 2. Work with the KPEDD to provide information on the Alaska Education Tax Credit and Work Opportunity Tax Credits for prospective oil and gas operators.	
Objective C. Plan for the housing, public services and transportation infrastructure that would be needed to support the Alaska LNG project liquefaction facility in Nikiski.	
Strategy 1. Near-Term: Coordinate with the Municipal Advisory Gas Project Review Board to provide information on Alaska LNG project impacts on the borough.	
Strategy 2. Near-Term: Use U.S. Army Corps of Engineers as a source of funding for harbor design and construction.	
Strategy 3. Seek Economic Development Administration funding to complement USACE port and harbor projects with potential for local job creation.	
Strategy 4. Provide Borough input to proposed Kenai Spur Road improvements related to the Alaska LNG project.	

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Strategy	Lead + Partners
Objective D. Encourage efficient use of land, infrastructure and services in areas already supporting the oil and gas sector.	
Strategy 1. Near-Term: Encourage KPEDD to explore an industrial park to aggregate oil and gas support services near Nikiski. The industrial park could include: office space, commercial office buildings, and industrial buildings.	
Strategy 2. Near-Term: Request the Alaska Department of Environmental Conservation provide annual updates on air, soil, and water quality monitoring in Nikiski marine and uplands areas.	
Strategy 3. Consider planning and platting standards conducive to industrial park facilities.	
Strategy 4. Work with state and federal regulatory agencies to protect public health and environment in the borough.	
Focus Area: Tourism and Recreation	
Objective A. Support outdoor recreation and tourism opportunities for a wide range of users, to create a strong, enduring borough economy and support resident health and quality of life.	
Strategy 1. Near-Term: Work with partners to better meet demand for outdoor recreation opportunities across a wide spectrum of interests and markets.	
Strategy 2. Support opportunities for the “missing middle” of the outdoor recreation spectrum.	
Strategy 3. Support improved opportunities for winter and the spring and fall “shoulder seasons” as a strategy to expand tourism’s local economic benefits.	
Objective B. Improve recreational trails, recreational access and mobility.	
Strategy 1. Near-Term: Support improved access to borough public lands.	
Strategy 2. Near-Term: Implement existing strategies and recommendations in the <i>Kenai Peninsula Borough Trails Plan</i> (1998).	
Strategy 3. Look for partnerships to improve the full array of transportation infrastructure that makes it easier and safer to enjoy borough recreational resources.	
Objective C. Protect the quality of recreation and tourism destinations and resources.	
Strategy 1. Be good stewards of natural places: waters, landscapes, habitats. <i>See Land Use section.</i>	
Strategy 2. Manage tourism to minimize impacts on communities and residents.	
Objective D. Expand the recreation and tourism appeal of borough communities.	
Strategy 1. Near-Term: Create concentrated and walkable mixed-use town centers with policies that encourage and support density.	
Strategy 2. Invest in quality public spaces and public space amenities: sidewalks, benches, street art, plazas, parks and gathering places.	

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Strategy	Lead + Partners
Strategy 3. Support incentives, such as façade improvement programs for private businesses to create more attractive buildings.	
Strategy 4. Provide different ways to conveniently, safely get from downtown cores to natural areas and open spaces.	
Objective E. Expand recreation and tourism marketing, education and job training opportunities.	
Strategy 1. Near-Term: Improve marketing of Kenai Peninsula Borough as a destination.	
Strategy 2. Partner with education and workforce development entities to increase available workforce training and entrepreneurial support, including skills needed for the visitor industry and coaching for starting a new business.	
Strategy 3. Engage in education and advocacy about the benefits of the recreation and tourism economy for residents, landowners, businesses and policymakers.	
Objective F. Actively build partnerships needed to maintain, improve or expand recreational and tourism facilities and amenities in the borough.	
Strategy 1. Near-Term: Build stronger partnerships with public land managers to guide plans for use of public land, and infrastructure improvements.	
Strategy 2. Near-Term: Explore the possibility of mini-grants or other public funding to local community and non-profit user groups, that can be used to incentivize local fundraising, volunteer work and partnerships, and provide matching funds leveraged in other grants.	
Strategy 3. Near-Term: Find ways to match growing demand for recreation services with comparable increases in local resources and local funding.	
Focus Area: Sportfishing	
Objective A. Support opportunities for sportfishing, including personal use fishing, while protecting the resource..	
Strategy 1. Near-Term: Improve access to fishing opportunities, both freshwater and marine, by participating in a cooperative sportfishing strategic plan with Alaska Department of Fish & Game, Alaska Department of Natural Resources, federal land managers, private land owners, Native Corporations, Kenai River Sportfishing Association, and other partners.	
Strategy 2. Near-Term: Work with Alaska Department of Fish & Game to seek options to bolster sportfish populations.	
Strategy 3. Work with Alaska Department of Fish & Game and tourism and marketing groups to better promote the wide array of fishing opportunities in the region.	
Objective B. Protect and enhance the natural systems that support health sustainable sportfish habitats and populations.	
Strategy 1. Near-Term: Protect the uplands, floodplains and headwaters of anadromous waterways.	
Strategy 2. Protect wetlands and similar watershed features that contribute to the flow and quality of waters necessary for healthy fish habitat.	

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Strategy	Lead + Partners
Objective C. Support continued sportfish research, monitoring and education efforts.	
Strategy 1. Near-Term: Work with public land managers to develop new approaches to collect sportfish-related data.	
Strategy 2. Near-Term: Advocate for expanded and diversified funding for the Alaska Department of Fish & Game and other organizations and agencies to collect sportfishing data over time.	
Strategy 3. Collaborate on public education tools that increase resident and visitor awareness of the value of the sportfishing industry.	
Focus Area: Commercial Fishing	
Objective A. Encourage the development of seafood industry job opportunities that provide income and benefits to borough residents.	
Strategy 1. Near-Term: Support the creation and expansion of high-value, year-round, skills-based employment (such as value-added fish processing) by promoting education and investment in basic and support industry sectors that facilitate processing seafood for high end markets.	
Strategy 2. Work with the State of Alaska Workforce Investment Board or other public or private entities to develop seafood worker training programs to meet the needs of borough residents.	
Objective B. Support a diverse mix of pre-employment education and training, on-the-job training and ongoing educational programs to improve the employability of borough residents in commercial fishing.	
Strategy 1. Work with the school district to present vocational opportunities in the commercial fishing and value-added fish processing industry. Partner with local fishermen and processors to develop appropriate curricula to educate students about the industry.	
Objective C. To the extent allowed by law strengthen development of the borough’s commercial fishing industry.	
Strategy 1. Near-Term: Encourage the State’s support for commercial fisheries.	
Strategy 2. Near-Term: Strive for an equitable balance among the needs of the commercial and sport fishing industries when supporting these sectors, recognizing that both provide important benefits to the borough’s economy.	
Strategy 3. Near-Term: Support provision of infrastructure, land and facilities needed for commercial fish processing.	
Focus Area: Agriculture and Mariculture	
Objective A. Support a more sustainable and resilient Kenai Peninsula by increasing production and distribution of quality, healthy agricultural products for local, state and export markets.	
Strategy 1. Near-Term: Identify land with high agricultural potential; plan and develop roads and other infrastructure to support its development.	

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Strategy	Lead + Partners
Strategy 2. Near-Term: Soils, access to transportation and markets, proximity to other farms, relatively favorable microclimate and adequate distance from anadromous streams are among the factors to be weighed when prioritizing land for agricultural use.	
Strategy 3. Near-Term: Improve policies that allow farm land to remain agricultural and incentivize productive use. Consider using mechanisms such as easements and deed restrictions favoring agriculture and conservation tax incentives; and land use policies to minimize conflicts between agriculture and adjoining uses.	
Objective B. Sustain and create new agriculture-related jobs and businesses.	
Strategy 1. Near-Term: Working with partners, encourage expansion of agricultural support services and infrastructure.	
Strategy 2. Near-Term: Encourage Kenai Peninsula Borough School District to adopt policies and programs that help students develop food skills and knowledge of local agriculture.	
Objective C. Encourage greater local and regional self-sufficiency.	
Strategy 1. Working with partners, identify and protect wild-harvested food resources.	
Objective D. Develop a sustainable mariculture industry and create new opportunities for exports.	
Strategy 1. Near-Term: Support expanding education workshops and forums to inform the maricultural community on new opportunities and research.	
Strategy 2. Engage in the Governor’s Mariculture Task Force.	
Strategy 3. Encourage local political leaders to become informed regarding the mariculture industry.	
Strategy 4. Work with Kenai Peninsula Economic Development Division (KPEDD) to inform political leaders and the public about the mariculture industry. Encourage KPEDD to report on specifics of mariculture and new ventures.	
Strategy 5. Support shellfish enhancement projects to mitigate the loss of native shellfish populations.	
Strategy 6. Encourage local agriculture groups to include information on mariculture in their outreach.	
Strategy 7. Work with local groups and organizations to ensure the Kenai Peninsula is recognized as part of the developing statewide interest in mariculture.	
Focus Area: Mining	
Objective A. Strengthen the investment climate to support mining in the Kenai Peninsula Borough.	
Strategy 1. Near-Term: Inventory and classify lands in the borough suitable for mining development.	
Strategy 2. Establish standards for sustainable and responsible development, including reclamation and clean-up, that is compatible with and does not adversely impact other natural resources.	
Strategy 3. Support land development with clear and efficient public processes (e.g., streamlined permitting, published procedures, web-based application forms, etc.).	

Strategy	Lead + Partners
Objective B. Encourage development of mining and resource development job opportunities that provide income and benefits to borough residents.	
Strategy 1. Near-Term: Support the creation and expansion of high-value, year-round, skills-based mining industry employment by promoting investment in basic and support industry sectors.	
Strategy 2. Work with the State of Alaska Workforce Investment Board or other public or private entities to develop mining exploration and development worker training programs to meet the needs of borough residents.	
Objective C. Support a diverse mix of pre-employment education and training, on-the-job training and ongoing educational programs to improve the employability of borough residents in mining.	
Strategy 1. Near-Term: Work with the school district to develop and present mining-related education, training, and vocational opportunities. Partner with local mining and support organizations to develop an appropriate curriculum.	
Objective D. Strengthen development of the borough’s mining industry.	
Strategy 1. Near-Term: Encourage the State to increase its efforts to better manage its resources for economic development opportunities.	
Strategy 2. Near-Term: Support environmentally responsible and sustainable mining development.	
Goal 2. Proactively manage growth to provide economic development opportunities on the Kenai Peninsula Borough while preserving what residents and visitors value about the area’s natural features.	
Focus Area: Land Use	
Objective A. Establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms.	
Strategy 1. Near-Term: Adopt limited development standards for specific areas and uses to reduce potential off site impacts of development on adjoining uses and the natural environment.	
Strategy 2. Near-Term: Update the Borough’s existing conditional use regulations for gravel extraction and other uses to better address reoccurring land use conflicts.	
Strategy 3. Near-Term: Improve subdivision standards, such as road and access standards and trail easements.	
Strategy 4. Improve Borough planning staff capacity to effectively and efficiently implement the comprehensive plan and enforce related codes.	
Objective B. Develop a stronger local voice in decisions on uses of federal and state lands.	
Strategy 1. Strengthen the relationship between Borough leadership and staff and clarify whether and how both groups can actively engage with federal and state land managers, on day-to-day, shared land management issues.	

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Strategy	Lead + Partners
Strategy 2. Take strong, informed Borough positions on updates to long range land management plans, such as the U.S. Forest Service Chugach National Forest Plan revision process.	
Strategy 3. Expand mutually-beneficial partnerships, particularly for improving local infrastructure such as trails and other recreational amenities.	
Strategy 4. Support locally-driven community plans, particularly in communities embedded in surrounding public lands, such as Hope and Cooper Landing.	
Objective C. Guide land use at the regional scale to promote economic development, improve public roads and other services and facilities, and maintain environmental quality.	
Strategy 1. Near-Term: Develop a generalized land use map, illustrating broad intentions for future development, growth and conservation priorities.	
Strategy 2. Identify and target desired economic development in promising, appropriate locations, including, for example, for mining, agriculture, industrial uses, tourism and recreation.	
Strategy 3. Coordinate public service and facility improvements with land use and growth policies and trends.	
Strategy 4. Continue to make available authorizations for temporary use of Borough-owned land to support economic development and growth.	
Strategy 5. Partner with incorporated communities and affected land owners and businesses to manage rapid development on land just outside city boundaries.	
Strategy 6. Increase the capacity of the Borough to provide matching funds for state and federally funded capital projects that support local land use and economic development.	
Objective D. Maintain quality of the borough’s natural environment, including protecting visual quality, minimizing development in hazardous areas, and developing strategies that help reduce and respond to impacts of changing environmental conditions.	
Strategy 1. Near-Term: Take actions to help preserve the borough’s scenic beauty.	
Strategy 2. Near-Term: Identify and protect the critical natural systems of the Kenai Peninsula Borough, its rivers, watersheds, floodplains and fish and wildlife habitats and resources.	
Strategy 3. Support programs to clean up large stockpiles of junk cars, buildings and other materials where this has impacts on the visual quality of neighborhoods or commercial areas regularly used by visitors.	
Strategy 4. Guide growth to minimize exposure to the risk of natural and human-made disasters.	
Objective E. Actively work with interested communities outside of the incorporated cities to help develop locally-driven community plans.	
Strategy 1. Near-Term: Set a basic template for community plans that promotes the uniqueness each location; helps address boroughwide goals; provides guidance for the plan process and plan framework; and that promotes efficiency in preparation and approval of plans.	

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Strategy	Lead + Partners
Strategy 2. Near-Term: Where there is clear interest in guiding growth and community planning, provide staff support and/or funding for locally-driven plans.	
Strategy 3. Near-Term: Investigate options for local communities to have more capacity to achieve their priority goals and projects, including utilizing existing mechanisms like service areas and advisory planning commissions.	
Strategy 4. Near-Term: Encourage unincorporated communities to engage with their established local Advisory Planning Commission (APC) and encourage establishment of new APCs for communities not currently represented.	
Strategy 5. Near-Term: Support existing or in-progress community planning efforts.	
Objective F. Actively manage Borough-owned lands to meet short and long-term regional goals.	
Strategy 1: Clarify and provide more specificity in the existing goals for Borough-owned lands.	
Strategy 2: Define and apply explicit criteria for the final round of land selections.	
Strategy 3: Refine Existing Borough Land Management Code and improve and revise select sections of the Borough Land Management code (KBC Chapter 17).	
Strategy 4: Inventory and classify all Borough Lands.	
Objective G. Manage beneficial and deleterious effects of climate change impacts.	
Strategy 1: Near-Term: Prepare a regional climate change adaptation plan, starting with identification of areas that are experiencing change and likely to continue, and outlining explicit adaptation and mitigation strategies (e.g., reduction of greenhouse gas emissions generated in the region).	
Strategy 2: Near-Term: Review, revise and support climate change adaptation goals and strategies developed during the Kachemak Bay and Kenai Peninsula Climate Resilience Workshop held in April 2017.	
Strategy 3: Near-Term: Working with state and federal partners, update floodplain maps to reflect climate-change related changes in boundaries of flood prone areas, starting in most developed areas where consequences of flooding would have the greatest potential for impact on human life and property.	
Focus Area: Hazard Mitigation	
Objective A. Implement recommendations and policies outlined in the Borough’s 2019 All-Hazard Mitigation Plan.	
Goal 3. Preserve and improve quality of life in the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.	
Focus Area: Energy and Utilities	
Objective A. Encourage coordination of residential, commercial, and industrial development with extension of utilities and other infrastructure.	

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Strategy	Lead + Partners
Strategy 1. Near-Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.	
Strategy 2. Near-Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.	
Strategy 3. Near-Term: Identify potential utility routes on Borough lands.	
Objective B. Assist communities and residents in generating financing plans for utility extensions.	
Strategy 1. Near-Term: Provide information and technical guidance on the Borough’s Utility Special Assessment Districts.	
Strategy 2. Near-Term: Stay current on development patterns through the platting process and assist residents in identifying opportunities for potential utility extensions.	
Strategy 3. Near-Term: Provide technical assistance to unincorporated communities in identifying grants or other funding sources for water and wastewater treatment needs.	
Objective C. Support residential, community and regionwide renewable energy initiatives and projects that lower energy costs for borough residents.	
Focus Area: Public Safety and Emergency Services	
Objective A. Work with community and agency partners to increase police protection and community safety in the borough.	
Strategy 1. Near-Term: Work with government agency partners to increase police protection on the Kenai in currently underserved areas: small communities, rural areas, and Seward and Sterling Highway corridors.	
Strategy 2. Near-Term: Work with federal and state agencies (National Park Service, U.S. Forest Service, Alaska Department of Natural Resources) to provide law enforcement on public lands.	
Strategy 3. Near-Term: Explore the feasibility and estimated costs of the Borough adopting police powers and establishing a Kenai Peninsula Borough Police Department, to determine whether this is a realistic option for meeting the public safety needs of communities and areas outside incorporated cities and public lands.	
Strategy 4. Advocate for increased Department of Public Safety funding to restore Alaska State Trooper presence on state highways.	
Strategy 5. Promote development of Neighborhood Watch programs and similar community-based policing models where appropriate, including training and protocols for citizen-led public safety initiatives.	
Strategy 6. Promote or develop local initiatives for neighborhood improvement as a crime prevention strategy: encourage property owners to remove debris, inoperable vehicles and dilapidated buildings that can attract illicit activity, monitor and report activities at abandoned properties, and organize volunteer cleanup and beautification efforts to address littering and vandalism.	

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Strategy	Lead + Partners
Strategy 7. Explore ways for partners to extend police services through cooperative agreements between jurisdictions, such as the existing agreement between Homer and Seldovia Police Departments.	
Objective B. Support efforts to reduce crime and recidivism, increase successful reentry of ex-offenders, and promote community-based justice.	
Strategy 1. Support the work of the Kenai Peninsula Reentry Coalition and partners who provide or fund housing, employment, education, and mental health and addiction treatment services.	
Strategy 2. Support continuation and potential expansion of alternative and rehabilitative justice models for youth, adults with substance use disorders, and Alaska Native tribal members, including the Kenaitze Henu' Community Wellness Court and Kenai Peninsula Youth Court.	
Strategy 3. Support programs that prevent or reduce substance misuse and addiction, including opioids and heroin, alcohol, marijuana and other drugs, as a strategy to reduce drug-related crimes.	
Objective C. Continue working with agency and community partners to provide coordinated emergency services to prepare for, mitigate, respond to and recover from natural and human-caused emergencies throughout the borough..	
Strategy 1. Near-Term: Continue to use coordination, mutual aid agreements, and long-range planning to avoid unnecessary duplication of services, equipment and facilities.	
Strategy 2. Near-Term: Evaluate current mutual aid and interjurisdictional agreements and collaborate to amend these agreements where they are insufficient.	
Strategy 3. Near-Term: Assess needs and current capacity of emergency food storage and distribution system in the region, and ability to maintain food security for the population in an emergency.	
Strategy 4. Coordinate Comprehensive Plan goals and objectives with Local Hazard Mitigation Plans.	
Strategy 5. Consider use and development of alternate sources of funding, such as user fees, grants and local fundraisers to support emergency medical services.	
Strategy 6. Work with partners in agriculture, food distribution, retail, food pantries, institutions and other sectors of the food system to incorporate plans for food security into emergency planning and the All-Hazard Mitigation Plan.	
Strategy 7. Maintain a boroughwide street addressing and mapping system, including consistent assignment of street addresses to assist emergency responders in locating properties.	
Strategy 8. Identify funding sources for maintenance and operation of E-911 emergency communication improvements.	
Strategy 9. Develop incentives and other means to help recruit and retain volunteers, such as low-cost insurance, stipends and pooled insurance policies.	
Strategy 10. Encourage provision of training programs in remote areas of the borough.	
Strategy 11. Evaluate current emergency vehicle routes and access throughout the borough and create appropriate criteria to ensure adequate emergency vehicle access when considering variances or modifications to road standards.	

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Strategy	Lead + Partners
Strategy 12. Collaborate with partners in all Fire and Emergency Medical Services Areas, the Kenai Peninsula Borough School District and other agencies to educate residents about emergency preparedness, fire prevention and fire safety, first aid and CPR, early response procedures, and other important emergency response skills to increase community resilience and capacity to provide immediate support.	
Objective D. Establish or improve water supply systems to support firefighting operations in areas without central water systems.	
Strategy 1. Develop cisterns under fire stations or in strategic locations to support service areas, such as those installed in Ninilchik, Kalifornsky Beach Road and other areas.	
Strategy 2. Encourage placement of high-pressure hydrants at schools, public facilities and industrial sites with sufficient well capacity.	
Strategy 3. Assist fire departments to identify lakes or flooded gravel pits with sufficient capacity to supply large water withdrawals for fire protection and support them to obtain necessary withdrawal equipment and permits.	
Focus Area: Health	
Objective A. Support the health and wellness of all Kenai Peninsula Borough residents and communities.	
Strategy 1. Near-Term: Consider residents’ health when making local policy decisions, including land use, transportation and economic development.	
Strategy 2. Near-Term: Explore the feasibility of adopting areawide health powers, including provision of services outside the boundaries of the current hospital service areas and the authority to implement local ordinances and policies to protect the public’s health. <i>Recommended by 2016 KPB Health Care Task Force.</i>	
Strategy 3. Near-Term: Support efforts to remove or reduce barriers to health care and improve access to health care for all borough residents, including underserved communities. <i>Recommended by 2016 KPB Health Care Task Force.</i>	
Strategy 5. Support the work of public and community health providers to respond to and manage disease outbreaks and educate the public about promoting health and prevention of injury and disease.	
Strategy 6. Support community-level efforts to promote and improve health, such as local health fairs and community wellness events.	
Strategy 7. Increase residents’ protection against disease by encouraging preventive health services such as immunizations and screenings for cancer and chronic disease.	
Strategy 8. Raise awareness of the causes and long-term negative impacts of adverse childhood experiences (ACEs), as a long-term preventive strategy to improve young generations’ health.	
Objective B. Encourage seniors to remain active, healthy members of the community.	
Strategy 1. Near-Term: Explore ways to meet demand for senior-friendly public transportation, including CARTS, for seniors to complete daily errands, attend medical and other appointments, and participate in community events.	

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Strategy	Lead + Partners
Strategy 2. Encourage development of housing options for seniors, from smaller units closer to services, to retrofitting existing housing to improve accessibility, to independent and assisted living options according to level of need for supports, to skilled nursing facilities for those with intensive needs.	
Strategy 3. Encourage health care providers to offer or expand services for seniors, to help older residents remain in the community and have more health care needs met locally.	
Strategy 4. Promote volunteer, education and employment opportunities for seniors to remain involved in civic and social life, contribute to improving the community, and maintain a high quality of life.	
Strategy 5. Support development and improvement of infrastructure and facilities to promote physical activity, using a universal design approach to ensure there are amenities suitable for all ages and abilities, and multi-use or flexible facility design for to meet a variety of needs.	
Objective C. Support the health care industry as an important economic sector and service provider in the community.	
Strategy 1. Near-Term: Work cooperatively with Central Peninsula Hospital and South Peninsula Hospital to ensure that both facilities continue to provide high-quality care while remaining financially sustainable, as well as working with Providence Seward Medical and Care Center and other health providers to improve the continuum of care. <i>Recommended by 2016 KPB Health Care Task Force.</i>	
Strategy 2. Support continued state funding of public health nursing services, availability of Medicaid for low-income families and adults, and other important health resources.	
Strategy 3. Continue to work with local partners to explore creative solutions for the long-term sustainability of health care in the borough. <i>Recommended by 2016 KPB Health Care Task Force.</i>	
Objective D. Promote local education and workforce development opportunities in the health care sector.	
Strategy 1. Near-Term: Promote vocational programs such as apprenticeships, trainings and other opportunities to provide career pathways in the health industry for residents.	
Strategy 2. Work with hospitals, clinics and providers, the Kenai Peninsula Borough School District, and other educational partners to promote health care as a career path for youth and young adults.	
Strategy 3. Promote the Kenai Peninsula as an attractive place to live and work for skilled health care workers and their families, within Alaska and through programs like the Washington-Wyoming-Alaska-Montana-Idaho (WWAMI), a multi-state medical education program that provides opportunities for Alaskans to attend medical school.	
Objective E. Support efforts to reduce and prevent deaths and other harms related to substance misuse and addiction.	
Strategy 1. Near-Term: Collaborate with health care providers to establish medication and syringe disposal sites throughout the borough, to reduce availability and distribution of these medications for misuse.	
Strategy 2. Near-Term: Encourage ways to improve the community’s mental health and wellness through social events, public dialogue about mental health, building stronger connections within the community, developing improved infrastructure for active lifestyles, and other health promotion activities.	

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Strategy	Lead + Partners
Strategy 3. Explore ways to increase availability of and funding for a continuum of behavioral health services, from routine to intensive to acute care, throughout the borough. <i>Recommended by 2016 KPB Health Care Task Force.</i>	
Strategy 4. Collaborate with the state and other partners to develop local-level responses to the opioid crisis to reduce overdose-related deaths, connect people with treatment resources, and supports for individuals and families struggling with the consequences of addiction.	
Focus Area: Housing	
Objective A. Increase supply and variety of affordable housing options in the borough, while managing impacts of growth in communities.	
Strategy 1. Near-Term: Conduct a Housing Needs Assessment for the region to better understand the current inventory of housing, and what types of housing are in highest demand.	
Strategy 2. Near-Term: Identify Borough lands that are most suitable for residential development and update the land management plan to reflect this as a planned future use.	
Strategy 3. Support options for housing that best meets the needs of seasonal populations, particularly rental housing in areas with the most seasonal activity.	
Strategy 4. Encourage innovative strategies for new housing types that may be attractive for price and lifestyle: examples may include tiny homes, co-housing and shared land ownership, accessory dwellings for existing homes, and pre-fabricated construction.	
Strategy 5. Encourage in-fill housing on lots that have already been developed or are already being served by infrastructure and utilities, to maximize use of existing resources and maintain character of existing residential neighborhoods.	
Objective B. Encourage options for seniors to age in place, maintain the affordability of their home, and other options for remaining in the community.	
Strategy 1. Near-Term: Encourage ways for seniors to age in place, including participation in home rehabilitation and modification programs.	
Strategy 2. Encourage new housing developments to be senior-friendly or support residents of all ages: accessibility features, one-story units, accessory dwellings, safe walking options within a neighborhood and to nearby shopping and services.	
Strategy 3. Increase availability of services across the continuum of care, from assistance with daily living and in-home services, to more intensive care such as skilled nursing facilities.	
Strategy 4. Encourage ways to increase and diversify opportunities for seniors to maintain their health through social interaction, physical fitness, and continuing education.	
Objective C. Encourage creation and expansion of a continuum of services to reduce homelessness and prevent risk of homelessness in the borough for youth, families, individual adults and seniors	

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Strategy	Lead + Partners
Strategy 1. Near-Term: Participate in the Kenai Peninsula continuum of care (CoC) coalition, and the statewide CoC Alaska Coalition on Housing and Homelessness.	
Strategy 2. Near-Term: Support the work of housing organizations like Kenai Peninsula Housing Initiatives to develop and manage new affordable housing for individuals and families.	
Strategy 3. Support the continuation of the Kenai Peninsula Borough School District’s Students in Transition program and identify additional funding sources to supplement federal grant funding.	
Strategy 4. Support development of more permanent supportive housing in the borough.	
Strategy 5. Support programs and services that help stabilize families and prevent homelessness.	
Strategy 6. Support programs and services that help youth and young adults find safe housing.	
Strategy 7. Support opportunities for homeownership.	
Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.	
Strategy 1. Near-Term: Collaborate with Alaska Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.	
Strategy 2. Near-Term: Reserve Borough lands adjacent to existing infrastructure for future housing.	
Strategy 3. Coordinate timing and location of new residential developments and subdivisions with the planned expansion or upgrade of local services.	
Strategy 4. Encourage small housing developments with shared green spaces, maintenance and parking.	
Strategy 5. Encourage infill development or redevelopment of properties on good soils that already have access to roads, utilities, or are located near town centers or commercial areas.	
Focus Area: Solid Waste Services	
Objective A. Provide convenient, cost-effective, environmentally-sound disposal of solid waste generated by residents, businesses and visitors.	
Strategy 1. Continue to make improvements at facilities to improve appearance, convenience and operation such as measures to address wildlife access to garbage, buffering and screening to minimize impacts on surrounding uses, and easier access to dumpsters by seniors and people with physical limitations.	
Strategy 2. Identify specific sites and/or time periods that transfer stations and waste facilities are routinely over capacity and implement strategies to proactively manage these areas or times of peak demand for waste disposal.	
Objective B. Update the <i>Kenai Peninsula Borough Solid Waste Management Plan</i>.	

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Strategy	Lead + Partners
Strategy 1. Near-Term: When updating the plan, evaluate the capacity and efficiency of the existing solid waste management system.	
Strategy 2. Near-Term: When updating the plan, evaluate the existing administrative and financial structure of the system and identify any areas of concern.	
Strategy 3. Near-Term: Develop an implementation plan and schedule of proposed changes and improvements to facilities, services and processes.	
Objective C. Increase awareness of and opportunities for waste reduction and landfill diversion, including “Reduce, Recycle, Reuse.”	
Strategy 1. Develop a plan of landfill diversion strategies including waste reduction, reuse and recycling opportunities, and other programs.	
Strategy 2. Encourage local reprocessing of paper, glass, aluminum, or other materials collected at Borough recycling centers.	
Strategy 3. Encourage greater household, commercial and institutional use of recyclable or compostable materials, and replace non-recyclable materials used at Borough facilities with recyclable or biodegradable products where feasible.	
Strategy 4. Explore opportunities for recycling a broader range of materials, including wood debris.	
Strategy 5. Utilize pilot projects to evaluate the potential use of new programs such as coordinated composting of organic materials.	
Strategy 6. Encourage residents and businesses to reduce the amount of solid waste they produce that enters the landfill, including programs to encourage recycling, educate households about composting onsite or at a community garden, and conserve resources.	
Objective D. Encourage safe handling and disposal of toxic and hazardous waste.	
Strategy 1. Maintain ongoing collection of household hazardous waste at selected Borough facilities and annual collection in rural/remote areas. Consider expanding opportunities for local disposal of household hazardous waste.	
Strategy 2. Work with state agencies to develop and distribute informational materials to inform residents and businesses about safe, legal disposal of toxic and hazardous materials.	
Objective E. Investigate existing and emerging technologies for safe and efficient long-term waste disposal.	
Strategy 1. Pursue permanent implementation of the Research Development and Demonstration Project at the Central Peninsula Landfill.	
Strategy 2. Identify promising technologies and conduct feasibility studies to evaluate each option.	
Objective F. Explore new revenue sources to help finance the solid waste management system operations, capital improvements and innovation projects.	
Strategy 1. Investigate the feasibility of revenue generation using gas produced at the landfill at local energy producing facilities.	

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Strategy	Lead + Partners
Strategy 2. Evaluate the current fee structure for commercial waste disposal and whether current revenue is sufficient for current operations costs.	
Strategy 3. Monitor, and pursue as appropriate, grant opportunities to fund capital projects at waste management facilities.	
Focus Area: Historic Preservation	
Objective A. Support efforts to identify, document, protect, interpret, and celebrate cultural history and resources in borough communities. <i>Note: Strategies apply to both Objectives A and B.</i>	
Objective B. Support efforts to maintain the character of historic towns, districts, and properties while encouraging commercial, tourist, and cultural development.	
Strategy 1. Near-Term: Compile a comprehensive inventory of cultural resources in the borough by coordinating with Kenai Peninsula College, local historical societies, tribal entities, Alaska Office of History and Archaeology, and other knowledgeable resources.	
Strategy 2. Coordinate cultural resource goals with other Borough planning efforts.	
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough.	
Focus Area: Transportation	
Objective A. Proactively engage with State of Alaska DOT&PF on planned projects, project prioritization, policies and studies.	
Strategy 1. Near-Term: Participate in the Statewide Transportation Improvement Program (STIP) process, the Community Transportation Program (CTP) and the Alaska Federal Lands Long Range Transportation Plans to provide information and perspective on Borough needs.	
Strategy 2. Administrative Order No. 287, issued September 7, 2017, established a Governor’s Advisory Board on Roads and Highways. The Borough should actively work to have at least one Kenai Peninsula resident on the board.	
Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.	
Strategy 1. Near-Term: Update the 2003 Kenai Peninsula Borough Transportation Plan <i>Note: updating this plan is also identified as a priority in Objectives C, F, G and H with actions specific to objectives.</i>	
Strategy 2. Near-Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.	
Strategy 3. Near-Term: Identify areas of anticipated growth to determine future access needs.	
Strategy 4. Near-Term: Develop a long-term financial strategy for new road construction.	
Strategy 5. Near-Term: Establish categorical agreements with DOT&PF regarding new access points to arterial highways and other major road corridors.	
Objective C. Improve and maintain existing infrastructure.	

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Strategy	Lead + Partners
Strategy 1. Near-Term: Update the 2003 Kenai Peninsula Borough Transportation Plan to provide decision makers updated information on conditions, needs, and new technologies for all transportation modes.	
Strategy 2. Follow-up with the current DOT&PF proposal to reallocate specific road maintenance responsibilities in the interest of increased efficiency and mutual reduction of cost.	
Objective D. Work with communities to expand public transportation options and ensure the long-term sustainability of public transportation for all residents.	
Strategy 1. Near-Term: Take the lead to coordinate public transportation planning with partner organizations, including tribal, non-profit, and healthcare-related transportation providers.	
Strategy 2. Near-Term: Provide direction and governance of public transportation services for the borough.	
Objective E. Develop non-motorized pathways to connect communities with each other and with trails connecting to natural areas and open space.	
Strategy 1. Near-Term: Reestablish the Kenai Peninsula Borough Trails Commission, per Borough Code, KBC §2.75.	
Strategy 2. Near-Term: Reevaluate and update the <i>1998 Kenai Peninsula Borough Trails Plan</i> .	
Strategy 3. Develop specific criteria for applicable State, Borough and Kenai Peninsula Borough Road Improvement Assessment District (RIAD) road projects to require separated shared use bike and pedestrian side paths or, when appropriate, right-of-way for future paths be included in project design or right-of-way acquisition.	
Strategy 4. Develop policy to designate priority areas in communities for paving and unpaved pathways in rural areas.	
Strategy 5. Work with communities to designate and enforce pathways for non-motorized use.	
Objective F. Support expansion of public and private marine ferries and routes to expand access to borough communities.	
Strategy 1. Near-Term: Update the 2003 Kenai Peninsula Borough Transportation Plan.	
Strategy 2. Work closely with the State of Alaska DOT, and communities served by the Alaska Marine Highway System (AMHS) to maintain and expand service.	
Strategy 3. Explore incentives and promotion of private marine ferries and taxi services to facilitate residents' and tourists' ability to access areas of the borough not on the road system.	
Objective G. Support expansion of dock facilities to support marine repair and maintenance, cruise ship, freight, and ferry operations, and for resource extraction.	
Strategy 1. Near-Term: Update the 2003 Kenai Peninsula Borough Transportation Plan.	
Objective H. Encourage safe, responsible expansion of aviation options for private, commercial, and recreational use.	
Strategy 1. Near-Term: Use the update process of the 2003 Transportation Plan to assess the need for a Kenai Peninsula Aviation System Plan.	

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Strategy	Lead + Partners
Strategy 2. Support expansion of commercial air service across the Kenai.	
Strategy 3. Ensure increased aviation activity is responsible and aligned with community values. Increasing use of lakes for floatplane activity and the development of private airstrips across the Borough increases the potential for conflicts and safety concerns.	
Goal 5. Create more active and engaged Kenai Peninsula Borough residents, local communities, and a more effective and efficient Borough government.	
Focus Area: Education and Workforce Development	
Objective A. Provide high-value, quality educational services to school-age borough residents.	
Strategy 1. Near-Term: Improve access to education for all borough residents.	
Strategy 2. Near-Term: Manage budget issues to ensure consistent and reliable funding for education.	
Strategy 3. Near-Term: Maintain high quality education.	
Objective B. Expand educational and training opportunities that tie directly to anticipated growth industries.	
Strategy 1. Near-Term: Support the expansion of opportunities for training and education to meet workforce needs.	
Strategy 2. Near-Term: Support recruitment efforts for students attending schools on the Peninsula.	
Focus Area: Fiscal Health	
Objective A. Develop a sustainable fiscal plan for funding Borough operations that reduces dependence on uncertain State funding.	
Strategy 1. Near-Term: Develop a long-term fiscal plan that is proactive, sustainable, and responsible to weather short term external fiscal challenges.	
Strategy 2. Identify programs that could assist economic development and growth opportunities to diversify the Borough's industries and revenue sources.	
Strategy 3. Seek efficiencies to decrease the cost of the Borough's public services. Provide a submission form on the Borough's website so that residents can provide ideas about how the Borough can cut costs and improve its services.	
Objective B. Diversify Borough revenues to reduce exposure to single industries or sources.	
Strategy 1. Near-Term: Research and develop appropriate broad-based taxes.	
Strategy 2. Near-Term: Research and develop appropriate taxes and fees associated with existing and new industries.	
Objective C. Develop and apply new fiscal strategies that better link growth in demand for services with revenues needed to pay the cost of those services.	

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Strategy	Lead + Partners
Strategy 1. Near-Term: Diversify the revenue base to respond to changing demographics and growth in property tax exemptions.	
Strategy 2. Near-Term: Expand use of local service areas to create locally managed, low overhead, focused funding streams for specific, locally requested services.	
Strategy 3. Near-Term: Identify opportunities to coordinate with organizations including city governments, Native organizations and corporations, and non-profits, to leverage resources and provide services more cost-effectively.	
Strategy 4. Near-Term: Advocate for Borough priority capital improvement projects identified in the appendices of this plan that directly contribute to increased revenue and economic opportunity for the Borough and their community and regional partners.	
Strategy 5. Develop partnering agreements that clearly delineate roles and responsibilities, including committing the Borough to be responsible for ultimately achieving the goal.	

COMPREHENSIVE PLAN THEMES: WE ARE AT A TURNING POINT



An Opportune Moment for Collaboration. Based on the many hundreds of conversations that went into the creation of this plan, there is a strong sense that borough residents are ready to move energetically and collaboratively into the next chapter of the Borough's history. There is a shared awareness of new economic realities, such as decreased state funding, and motivation to use the shift in resources and sources of revenue to create a new, more economically resilient Kenai Peninsula.

Economic, Fiscal and Environmental Health. The borough has an abundance of natural resources, wild landscapes, diverse economy, and a range of resident entrepreneurs and workers committed to long-term positive change. While the future borough economy may be different than that of the past, there are new opportunities in several traditional and emerging sectors, including oil and gas, tourism, health and agriculture. One key element of any economic strategy will be sustaining the health of the Kenai Peninsula's watersheds, forests and ocean waters that support so much of our way of life and economy.

Landscape- and Neighborhood-Compatible Development. While most borough residents express satisfaction with the current level of limited land use regulations, there is also a clear desire to sustain what residents (and visitors) value most about the borough. There is also shared support for the types of development and change that will bring more year-round jobs, more local retail, and the revenues needed for quality schools, roads and other services.

Partnerships and Leveraging Resources. Any one entity in the borough cannot achieve the ambitious list of goals and strategies outlined in this plan. However, the Kenai Peninsula Borough, with its many local, regional, state, federal, private and non-profit sector partners, can expand its capacity to achieve a shared set of priorities, and ultimately, longer-term goals. As the catalyst and convener of their partners, the Kenai Peninsula Borough can make strategic investments to leverage resources that result in the completion of priority projects that benefit all residents.

Need for Clear Priorities. The work that led to this plan needs to continue over the coming months and years, with more conversations with a wide range of residents, businesses, land owners, agencies, non-profits and other partners. Out of all the strategies proposed, this plan also specifies a subset of highest priorities for action that reflect projects and programs that can be achieved, that provide greatest public benefit, and have strongest public support.

COMPREHENSIVE PLAN PRIORITIES AND POLICIES

Priorities outlined below emerged through the planning process, and present a sample of related policies (objectives, strategies or actions) the Borough, Kenai Peninsula communities, and many other regional, state and federal partners can take over the next five years to make the Kenai Peninsula an even better place to live.

A note to the reader: This is a sampling of a robust list of policies contained in this plan. Each section has additional context, data and specific strategies to achieve the objectives laid out by topic area.

- Sustain and make the most of the Kenai's assets.

Example policy: Identify and protect the critical natural systems of the Kenai Peninsula Borough, its rivers, watersheds, and fish and wildlife habitats and resources. Actively support actions to sustain healthy fish habitats and populations in a way that preserves and enhances land values. See *Land Use sections for details.*



Workforce Development

- Promote economic growth and innovative businesses.

Example policy: Produce quality, healthy agricultural products for local, state and export markets. See *Agriculture and Mariculture section for details.*



Transportation Options

- Improve education and workforce development opportunities, especially for upcoming generations.

Example policy: Assist continuing and vocational educational institutions in identifying opportunities to expand programs and facilities by providing technical assistance; additional sites for facilities; and high demand jobs for which vocational and technical training is required. See *Education and Workforce Development section for details.*



Land Use and Climate Change

- Address crime and public safety issues.

Example policy: Work with cities, Alaska Department of Public Safety, and other partners to increase police protection and community safety in the borough. See *Public Safety section for details.*



Community Health

- Improve transportation systems to meet local needs.

Example policy: Work with communities to expand public transportation options and ensure the long-term sustainability of public transportation for all residents. See *Transportation section for details.*



Trails and Recreation

- Encourage development of quality, affordable housing for people of all ages.

Example policy: Increase supply and variety of affordable housing options in the borough, while managing impacts of growth. *See Housing section for details.*

- Maintain the quality of our residential neighborhoods.

Example policy: Develop policies that will minimize conflicts between adjoining uses, maintain property values, and maintain and improve neighborhoods, communities and natural systems. *See Land Use section for details.*

- Improve and manage access to important public resources, including land, water, fish and game.

Example policy: Improve access to public lands and waters by working with state and federal land managers to evaluate potential new, low impact and resource intensive access points for resident recreation and subsistence use, and for economic benefit. *See Tourism and Recreation and Sportfishing sections for details.*

- Provide more services and amenities for a growing senior population.

Example policy: Encourage health care providers to offer or expand services for seniors, to help older residents remain in the community and have more health care needs met locally. *See Health section for details.*

- Promote ways to improve the health and well-being of all.

Example policy: Promote healthy behaviors for borough residents, such as supporting transportation infrastructure for safe non-motorized transportation, parks and recreational opportunities, community events, availability of healthy foods, cooperative agreements to use Borough facilities for health events, and building more connections between community members. *See Health section for details.*

- Clearly define what services the Borough can provide, what level of services is appropriate across the region, and how to pay for services we need and want.

Example policy: Develop a sustainable fiscal plan for funding Borough operations that reduces dependence on uncertain State funding. Identify programs that could assist economic development and growth opportunities to diversify the borough's industries and increase revenue sources. *See Fiscal Health section for details.*

- Collaborate with unincorporated communities to improve representation, engagement and self-determination on important local issues.

Example policy: Actively work with communities outside of the organized cities in developing locally-driven community plans. *See Land Use section for details.*

WHAT IS A COMPREHENSIVE PLAN?

A comprehensive plan is a policy document created by a community, with a combination of big vision goals and practical short-term strategies. The new Kenai Peninsula Borough Comprehensive Plan is an update to the 2005 Kenai Peninsula Borough Comprehensive Plan that:

- Guides planning, funding and development efforts in the Borough over the next 20 years.
- Accurately reflects community needs, goals and priorities.
- Effectively directs resources toward community priorities.
- Identifies roles for the Borough in addressing region-wide or community-specific issues.
- Improves understanding of community businesses, organizations and other resources.
- Guides and orients existing and future leaders in the community.
- Provides broad policy direction for future planning in specific topics or geographic areas.
- Describes how the plan will be implemented, amended and updated.



Alaska municipalities (cities and boroughs) must create and update comprehensive plans.

The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public. It may include, but is not limited to, the following: statements of policies, goals, and standards; land use; community facilities; transportation; and recommendations for implementation.

Alaska Statutes, §29.40.030

RELATIONSHIP TO THE 2005 KENAI PENINSULA BOROUGH COMPREHENSIVE PLAN

Upon adoption by the Borough Assembly, this plan replaces the previous Comprehensive Plan adopted in 2005. In practice, however, the new plan builds on the guiding principles and policy direction in the 2005 plan. Many of the 2005 plan's objectives and strategies have been adapted or further refined in the current plan. This reflects continuity in the community's values and desired future, and ongoing need for the Borough and their regional partners to more strategically address longstanding challenges and issues by working together to leverage the region's many assets and opportunities.

Unlike the previous plan, the new comprehensive plan does not include an exhaustive inventory of data, trends, or community facilities and services. This plan focuses on the most relevant and current information to help the Borough and community leaders make sound policy decisions. The 2005 plan can be a useful reference document about the Kenai Peninsula, along with other plans and documents, including other Borough plans, individual city comprehensive plans, community plans, Comprehensive Economic Development Strategies (CEDS) plans produced by Kenai Peninsula Economic Development District, and management plans for the federal, state and Borough-owned public lands within the borough.

HOW TO USE THIS PLAN

The community's plan serves as a legal basis and rationale for other community policies and actions, including site-specific and neighborhood plans; specialized plans addressing transportation, economic development, housing and other topics; ordinances and other policies carrying out the goals of the comprehensive plan; projects carried out by Borough staff; and communicating priorities and funding requests to state and federal government or other funders, such as the Capital Improvement Projects (CIP) list or special legislative appropriations.

The goals of this plan give the Borough, and the community at large, a broad vision and direction to work toward in the coming years. Under each goal, there are more concrete objectives to achieve these goals, and specific strategies for the Borough and its partners to pursue. The objectives will also serve to measure progress toward achieving the plan goals and can be evaluated by the Borough and partnering entities in the future. Priority strategies will be identified in the plan, either as the most important issues for the Borough and their partners to address, or areas where the Borough and their partners can have immediate impact and accomplish early wins.

Most importantly, the 2019 plan should serve as a key tool for community leaders and residents in their short and long-term planning and decision-making. The comprehensive plan, in conjunction with more detailed plans, such as the Borough's Trails Plan and All-Hazard Mitigation Plan, and current information, should be the backdrop and foundational reference for every Borough Planning Commission and Assembly meeting and ruling, and for Borough departments in their daily operations.

A note to the reader: Throughout this plan, Kenai Peninsula Borough is referred to in shorthand as either "the borough" or "the Borough." When used in lowercase, "the borough" means the region generally, or the geographic area and communities inside the boundaries of Kenai Peninsula Borough. When capitalized, "the Borough" refers specifically to the local government, including elected leadership (Assembly and Mayor) and staff who oversee day-to-day operations and administer services. Additionally, "the Kenai Peninsula" is also used throughout this document to generally refer to the geographic area of the borough, as well as being the most common name used by residents to refer to the region where they live, but the geographic feature with this name only includes the populated areas of the borough east of Cook Inlet. The borough also includes lands and some population west of Cook Inlet, which should not be overlooked as part of the Kenai Peninsula Borough. The term "the borough" is therefore preferred when describing the overall area, and "the Kenai Peninsula" for describing the location of most of the borough's population, communities, facilities and infrastructure.

TIMELINE FOR THE PROCESS

The comprehensive planning process launched in February 2017, beginning with a thorough review and evaluation of the 2005 comprehensive plan to understand what has been accomplished to date, and where the new plan should stay on the same path or consider new direction for the Borough. In general, Borough leadership and staff felt the previous plan had many broad goals that are still important to the community, but implementation of the plan had been limited. The goal for the 2019 plan was develop more targeted priorities, identify areas where the

Borough can play a role in as leader or supporter, and ensure the plan’s recommendations take into consideration the Borough’s capacity to act and the need to be fiscally sustainable.

Figure 1 illustrates the overall timeline and phases of the planning process. The project team framed each phase with the big questions that have guided the process and summarize what has been asked of the community throughout the year.

Figure 1. Kenai Peninsula Borough Comprehensive Plan Timeline



A COMMUNITY AND RESIDENT-DRIVEN PLAN

The values, vision, goals, objectives and strategies in this plan have been developed through an extensive public engagement process, including input and ideas from residents, businesses, tribes, non-profit and community organizations, associations, and government agencies including

cities within the Kenai Peninsula Borough. The process of creating a comprehensive plan enlists and energizes the community to work together to achieve collective goals, not just during the planning process but in future years as the plan is implemented.

Connecting directly with residents, businesses, and other stakeholders is central to the planning process: the project team traveled to communities across the borough to invite people to participate, gather thoughts and ideas about what the plan should include, and share how and why the plan is relevant to the entire community. Figure 2 illustrates a sample of these events.

At each meeting or event, participants were encouraged to answer three questions:

1. **Values:** What do you like best about living on the Kenai Peninsula?
2. **Vision:** What do you want life on the Kenai Peninsula to be like in 20 years? What is your future Kenai Peninsula Borough?
3. **Priorities:** What issues and opportunities should the Borough, residents and their partners focus on as part of this plan?

Selected Public Engagement Activities in Spring, Summer and Fall 2017

- Over **2,000** residents shared their ideas with the project team
- More than **50** interviews and small group discussions with local organizations, including:
 - Chambers of Commerce
 - Change 4 the Kenai coalition
 - Cities of Homer, Kenai, Seward, Soldotna
 - Kenai Peninsula Borough School District (KPBSD)
 - Kenai Peninsula Community Care Center
 - Kenai Peninsula Economic Development District (KPEDD)
 - Kenai River Sportfishing Association
 - Kenai Soil and Water Conservation District

Figure 2. Public Engagement Events, Summer 2017



Clam Gulch & Kasilof Community Meeting, July 2017



Nikiski Family Fun Days, June 2017



Funny River Festival, July 2017



Anchor Point Chamber of Commerce, July 2017

- Senior centers and local senior groups
- Tribes and Alaska Native corporations
- Multi-sector focus groups about education and workforce development, agriculture, public transportation, housing and homelessness, and others
- Over **600** telephone survey responses
- The project team had a booth or other presence at **20** public events, including:
 - Kenai Peninsula Sport & Recreation Trade Show (April 28-30, 2017)
 - Sterling Spring Craft Fair (May 6, 2017)
 - Kenai River Festival (June 9-11, 2017)
 - Nikiski Family Fun Days (June 17, 2017)
 - Sterling Community Summer Fun Carnival (June 17, 2017)
 - Moose Pass Solstice Celebration (June 17-18, 2017)
 - Funny River Festival (July 29, 2017)
 - Kenai Peninsula State Fair (August 19-21, 2017)
 - Industry Appreciation Day (August 26, 2017)

Online Engagement

Throughout the process, the project team communicated updates and relevant information on a project website, www.KPBCompPlan.com. The website invited residents to participate in local events, take an online survey and share written feedback directly with the project team. The website (illustrated in Figure 3) included an overview and purpose of a comprehensive plan, a summary of the “State of the Kenai” data highlights, and a calendar of upcoming events. The website was updated regularly to reflect the status and focus of the planning process and included multiple ways to contact the project team or sign up to receive project updates.

Figure 3. Kenai Peninsula Borough Comprehensive Plan Project Website



Source: Project website, www.kpbcompplan.com, retrieved December 12, 2017.

The team also coordinated with Kenai Peninsula Borough staff to post information to the Borough's Facebook page, encouraging users to visit the project website and get involved in the process. Posts highlighted upcoming events, new information available on the website, and provided notice about key milestones such as the release of the draft plan for public review.

Resident Surveys

As part of the project, the Borough commissioned a statistically valid telephone survey to be conducted in June 2017 and collect responses from 600 residents. Respondents were randomly selected by phone number, with half responding on residential landlines and the other half on cell phones. The survey is considered statistically valid because of its sampling method, including selection and weighting to ensure responses are proportional to the borough's actual population, measured both by geographic distribution and demographics such as age and race. The resulting sample of residents is comparable to and representative of the population. The survey included questions about:

- Benefits and challenges of living on the Kenai Peninsula
- Letter-grade assessment of several measures of quality of life such as job security, cost of living, housing, health care, education, public services and utilities, the natural environment, and other topics
- Overall satisfaction with services in the borough
- Attitudes and perceptions toward planning and policy issues such as land use regulation, taxation and public services
- Long-term plans to remain in or leave the borough, and major factors in that decision
- Demographic information such as age, family size, household income, and length of residency in Alaska and in the borough

In addition to the telephone survey, an online version of the survey questions was available on the website for anyone to respond. Results were not combined with the telephone survey, as they were not collected via the same statistically valid method but were made available to the project team as input about what the plan should address.

Survey results, including all open-ended responses documented during the call, were reviewed by the project team and incorporated into each section of the draft plan, along with the significant body of notes and comments collected throughout the year. Survey responses and direct quotes from residents are included throughout the plan to give voice to the many perspectives shared throughout this process.

Public Review of Draft Plan

The draft Kenai Peninsula Borough Comprehensive Plan was released for public review and comment on December 15, 2017, with written comments accepted through March 31, 2018. The project team received formal written comments from 56 individuals and organizations, as well as gathering feedback through meetings of Advisory Planning Commissions (APCs), work sessions with Borough staff, the Borough's Planning Commission, and staff or officials from the incorporated cities within the borough. The project team reviewed all comments and other feedback received during the winter and spring and incorporated these revisions into the formal review draft of the plan in June 2018. Overall, the comments received were supportive of the plan's general direction and goals, and commenters identified many specific objectives or policies

throughout the plan that they felt should be priorities during the implementation phase. Several comments also expressed a concern that, while the plan identifies many different important policy directions for the Borough, the limited capacity or political will to implement these policies will constrain its ability to carry out the plan’s intent. This indicates the need for the community to prioritize which policies to pursue and build a region-wide commitment to achieving these goals.

WHAT IS IN THE PLAN?

The plan is structured as follows:

- **Executive Summary:** Includes the community’s values and vision for the future, a summary of the plan’s goals, objectives and priority strategies, the purpose of the comprehensive plan, how the plan will be used, the process used to develop the plan, the adoption process, and how the plan will be updated in the future.
- **Introduction:** Provides general information and context about the Kenai Peninsula Borough including geography, population, communities within the borough, services provided, and the current economic, demographic and social trends that inform the need for the policy direction set out in the plan.
- **Comprehensive List of Goals, Objectives and Strategies:** This is the most substantive section of the plan. It includes a series of broad goals, objectives grouped by topic area, and specific strategies to achieve the objectives. Also included are relevant highlights, trends and key facts about each topic area that inform the objectives and strategies for that topic.
- **Implementation Matrix:** Identifies priority strategies for the Borough and their partners to focus on over the next few years (2019-2021). See Table 1 for an example.

Table 1. Example of an Implementation Matrix

Strategy	Lead + Partners
Goal. Goal Name	
Objective A. Objective Name	
Strategy 1. Strategy Name	Borough and/or other partners

- **Appendix:** Provides maps featured in this plan, materials used during the public engagement process, survey questions and results.

PROCESS FOR FINALIZING, ADOPTING, AMENDING AND UPDATING THE PLAN

Following the public review and comment period through spring 2017, the project team revised the plan based on a summary of feedback received, including development of an implementation matrix of priority strategies that reflects priorities expressed by the community during the review process, and prepared the comprehensive plan for formal adoption.

In 2018, the draft plan underwent extensive review by the Kenai Peninsula Borough Mayor’s Office, Legal Department and Planning Department. The revised draft comprehensive plan will

be presented to the Kenai Peninsula Borough Planning Commission in summer 2019 for review and a recommendation to the Borough Assembly adopt the plan. The public will have the opportunity to testify about the plan before the Planning Commission in a public hearing.

Once supported by the Planning Commission, and with further revisions incorporated into the draft plan, the comprehensive plan will be presented to the Kenai Peninsula Borough Assembly for formal adoption. The public will again have an opportunity to testify about the plan before the Assembly in a public hearing.

Upon formal adoption, the new Kenai Peninsula Borough Comprehensive Plan replaces the current plan adopted in 2005 and will guide future decisions and actions by the Borough.

Outlined below are the processes for making changes to the Comprehensive Plan in the future:

- A **minor change** does not modify or add to the plan's overall intent. Examples include clarification of intent, making sections or recommendations consistent with each other, a minor change that assists with practical implementation, and technical corrections. Minor changes can be recommended by the Borough or the public and must be reviewed by the Planning Commission approved by the Kenai Peninsula Borough Assembly.
- An **amendment** makes a permanent change to the plan by adding to or modifying the basic intent. Examples include addition of a new goal or set of objectives or making substantive changes to objectives or strategies. Amendments can be recommended by the Borough or the public and must be reviewed by the Planning Commission approved by the Borough Assembly.
- A **substantive review and update** of the Comprehensive Plan should be conducted periodically, beginning with an evaluation by the Borough of progress made toward the existing goals and objectives. Residents, businesses, organizations and other stakeholders should be engaged in the update process to ensure that the updated plan still reflects the community's priorities. The update may include revision and/or deletion of existing goals, objectives and strategies; addition of other goals, objectives and strategies; or a new prioritization according to current needs.