


## KENAI PENINSULA BOROUGH


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JOHN J. WILLIAMS  
MAYOR

### MEMORANDUM

TO: Ron Long, Assembly President  
Kenai Peninsula Borough Assembly Members

THRU: John J. Williams, Borough Mayor 

FROM:  Max J. Best, Planning Director

DATE: July 19, 2006

SUBJECT: Ordinance 2006-33 Amending KPB 17.50.030 and 17.50.035 to Facilitate  
Removal of Hazard Trees on Borough Land

The Planning Commission reviewed the subject Ordinance during their regularly scheduled July 17, 2006 meeting. A motion to recommend adoption of the Ordinance passed by unanimous consent.

Draft, unapproved minutes of the subject portion of the meeting are attached.

AGENDA ITEM F. PUBLIC HEARINGS

- 8. Ordinance 2006-\_\_ Amending KPB 17.50.030 and 17.50.035 to Facilitate Removal of Hazard Trees on Borough Land

Memorandum reviewed by Max Best

PC Meeting: 7/17/06

KPB 17.50.030(C) enacted in Ordinance 98-63 only provides for the removal of hazard trees on lands of certain classifications. Since enactment of this provision, the spruce bark beetle infestation has greatly expanded, and the SBB program to remove hazard trees from borough lands has likewise expanded. Limiting the mayor's authority to remove potentially hazardous trees to lands classified as governmental, institutional, utility/transportation, or waste handling unnecessarily impedes the removal of hazard trees and serves limited usefulness in the current low value economy for dead and dying spruce.

The proposed amendments to KPB 17.50.030 and 17.50.035 would simplify the administration of hazard tree removal on borough lands and would encourage additional fuel reduction on the Urban Wildland Interface through the Spruce Bark Beetle Mitigation Program.

Your consideration of the attached Ordinance is appreciated.

END OF MEMORANDUM

Chairman Bryson opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Bryson closed the public comment and opened the discussion among the Commission.

**MOTION:** Commissioner Gross moved, seconded by Commissioner Hutchinson to recommend the passage of Ordinance 2006-\_\_ to facilitate the removal of Removal of Hazard Trees on Borough Land

**VOTE:** The motion passed by unanimous consent.

BRYSON YES	CLARK YES	FOSTER YES	GROSS YES	HEIMBUCH YES	HOHL ABSENT	HUTCHINSON YES
ISHAM YES	JOHNSON ABSENT	MARTIN YES	MASSION ABSENT	PETERSEN YES	TAURIAINEN ABSENT	9 YES 4 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

- 9. Resolution 2006-44; A Request for a Variance to the Buffer Requirements of a Conditional Land Use Permit in the North Fork Area of Anchor Point. Location: KPB 165-680-28, Township 4 South, Range 14, Section 31 West, Seward Meridian, Nightwatch Three Subdivision, Tract 1B; Parcel: 5 acres; Applicant: Steve Williams/North Fork Excavation

Staff Report reviewed by Crista Hippchen

PC Meeting July 17, 2006

APPLICANT: Steve Williams, North Fork Excavation  
33340 Lichen Street  
Anchor Point, AK 99556

LOCATION: KPB 165-680-28; Township 4 South, Range 14 West, Section 31, Seward Meridian, Alaska  
Nightwatch Three Subdivision, Tract 1B  
Parcel: 5 acres

**VARIANCE REQUEST:** The applicant has requested a variance from certain buffer requirements contained in the conditional land use permit, Planning Commission Resolution 99-34, adopted by the KPB Planning Commission on August 9, 1999. The variance application is included as **Attachment A**.