

AGENDA ITEM \_\_. PUBLIC HEARINGS

\_\_. Proposed Classification of Borough Lands Located in the Homer Area Pursuant to KPB Code of Ordinances, Chapter 17.10.080.

STAFF REPORT

PC Meeting September 12, 2011

**Basis for Classification:** Classification of property is for review, plan implementation and management purposes. The classification system designates the most appropriate uses for land and thereby guides borough management of such lands and implementation actions to provide for the identified uses.

Classification provides direction for the management intent of borough lands and may be initiated by the assembly, the mayor, or the planning commission.

**Public Notice:** Public notice was published in the Homer News on August 11 and 18, 2011 and in the Peninsula Clarion on August 11, 2011. 17.10.080(H) states, "When land is classified in conjunction with the adoption or implementation of a community land use plan that was adopted as an element of a comprehensive plan, or within a city with a zoning ordinance the classification is excepted from the requirement that public notice be mailed to all owners and/or leaseholders of record property located within a radius of one-half mile of the land to be classified". Public comments were requested to be returned by 5:00 p.m. August 29, 2011 to be included in the Planning Commission mail-out packets and by 5:00 p.m. September 8, 2011 to be considered at the Planning Commission public hearing.

**Description of Borough Parcels and Proposed Classifications:** (see attached map)

PARCEL	GENERAL LOCATION	LEGAL DESCRIPTION	ACRES	PROPOSED CLASSIFICATION
179-010-26	Homer	NW1/4SE1/4 & NE1/4SW1/4, T6S, R13W, Section 15, S.M.	80	Preservation

**Agency Review:** Written comments were received from the Kenai River Center, KPB Maintenance Department, and KPB Solid Waste Department. All indicated they have no comments or objections regarding the proposed classification.

- Kachemak Moose Habitat, Inc. submitted written comment supporting a Preservation or Critical Habitat classification.
- The Homer Chamber of Commerce submitted written comment in support of the proposed classification.
- The Kachemak Bay Conservation Society submitted written comment in support of the proposed classification.
- The Kachemak Bay Equestrian Association submitted written comment in support of the proposed classification.

**Findings of Fact:**

1. Land Status: The Kenai Peninsula Borough has received State of Alaska Patent Number 17501 for subject land in March of 2000.
2. General Characteristics: Subject land is undeveloped and primarily contains discharge slope ecosystems which support wildlife habitat and recreation. In April 2010, the Homer City Council adopted Ordinance 09-40(S), approving the 2008 City of Homer Comprehensive Plan and in June of 2010, the Kenai Peninsula Borough enacted ordinance 2010-24 adopting the City of Homer Comprehensive Plan for that portion of the borough within the boundaries of the City of Homer. The City of Homer Comprehensive Land Use Plan designates this parcel as Conservation, defined as, "environmentally sensitive public land with particularly high value for water quality, fish and wildlife, and other open spaces".

The Kenai Area Plan designates the parcel as Habitat, defined as, "limited, concentrated-use area for fish and wildlife species during a sensitive life-history stage where alteration of the habitat or human disturbance could result in a permanent loss of a population or species' sustained yield".

3. Surrounding Land Use: Surrounding land uses include residential vacant, general institutional, residential improved, and residential single dwelling.
4. Surrounding Land Ownership: Surrounding land ownership includes private, municipal, and State land.
5. Access: Subject Land fronts Bottom Lane, an undeveloped right-of-way south of East End Road at approximately MP2. There is no developed access to the parcel.
6. Soil: Partially hydric, Beluga silt loam, 0 to 4 percent slopes. Soil conditions are very limited for development.
7. Utilities: Electric and telephone utilities exist within the surrounding subdivisions.

**Analysis:**

The land is part of the Beluga Lake wetlands complex and primarily unbuildable. This area contains aquatic vegetation important for moose browsing and is in close proximity to the Homer Airport Critical Habitat Area. Movement corridors provide essential wildlife habitat and allow moose to congregate and feed during tough winters and deep snow. The City of Homer recognizes the importance of conserving habitat areas important to sustained moose populations, and through their Comprehensive Plan, has classified the Subject Land Conservation.

**Conclusion:**

Based on the findings of fact and analysis, a Preservation classification would be appropriate for this parcel and is compatible with the surrounding land uses. The City of Homer recognizes the importance of the Subject Land in relation to area wildlife and has adopted Resolution 11-063 Encouraging the Kenai Peninsula Borough Assembly to Designate 80 Acres, Kenai Peninsula Borough Parcel Number 179-010-26 Northwest of the Homer Airport as Wildlife Habitat.

**STAFF RECOMMENDATION:** Based on the findings of fact, analysis, and conclusion the KPB Planning Commission finds that it is in the borough's best interest to recommend adoption of the resolution classifying Subject Lands as Preservation.

END OF STAFF REPORT