

Introduced by:	Bagley, Mayor
Date:	03/05/19
Hearing:	04/02/19
Action:	Enacted as Amended
Vote:	7 Yes, 2 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2019-07**

**AN ORDINANCE AMENDING KPB 21.46.040 ZONING A 120-ACRE PARCEL
CREATING THE MURWOOD SOUTH SINGLE FAMILY RESIDENTIAL R-1 LOCAL
OPTION ZONING DISTRICT**

- WHEREAS,** the borough has created several local option zoning districts under KPB 21.44 in conjunction with the platting and sale of subdivision lots; and
- WHEREAS,** the borough encourages the private sector to develop residential subdivisions; and
- WHEREAS,** the borough owns a 160-acre parcel in the Murwood Avenue area off Kalifornsky Beach Road that is appropriate for single family residential use; and
- WHEREAS,** public testimony has indicated there exists significant residential use in the area of the 160-acre parcel as well as public interest in maintaining and furthering the residential aspects of the area; and
- WHEREAS,** Goal 6:1 of the borough's comprehensive plan is in part to manage and dispose of borough land for the benefit of borough residents; and
- WHEREAS,** Goal 6:1 Objective 2, Implementation Action F-G is to continue notifying residents of borough land management actions and to solicit public input and consider potential impacts of land management actions; and
- WHEREAS,** Goal 6.6 of the borough's comprehensive plan is to reduce land use conflicts in the areas of the borough outside the cities; and
- WHEREAS,** the planning commission reviewed this ordinance at its regularly scheduled meeting of March 11, 2019 and recommended approval by unanimous consent;

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

SECTION 1. That the assembly finds the adoption of the Murwood South Local Option Zoning District ("LOZD") to be consistent with surrounding land uses and the KPB Comprehensive Plan.

SECTION 2. That KPB 21.46.040 is hereby amended as follows:

21.46.040. Single-Family Residential (R-1) Districts.

- A. The following Single-Family Residential (R-1) districts and official maps are hereby adopted:

...

11. Murwood South is described as follows:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 27, T5N, R11W, Seward Meridian, Alaska

- a. The local option zoning applies to any further replats within the Murwood South LOZD.

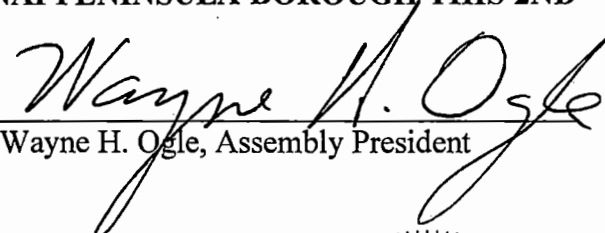
SECTION 3. The assembly hereby waives the requirements of KPB 21.44.040-060 with regards to establishment of the Murwood South LOZD.

SECTION 4. That Murwood South LOZD shall be recorded in the proper recording district.

SECTION 5. That the deed restriction set forth in Section 4 of Ordinance 2019-03 (Substitute) be released upon the effective date of this ordinance. If a deed containing the deed restrictions set forth in Section 4 of Ordinance 2019-03 (Substitute) has been recorded, the release shall be recorded in the appropriate recording district of the State of Alaska. Failure to record the release does not render the release ineffective.

SECTION 6. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF APRIL, 2019.


Wayne H. Ogle, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk

Yes: Bagley, Blakeley, Carpenter, Dunne, Fischer, Hibbert, Ogle
No: Cooper, Smalley
Absent: None

