

Introduced by: Mayor  
Date: 12/09/14  
Hearing: 01/06/15  
Action: Introduced and Set for  
Public Hearing on 03/17/15  
Date: 03/17/15  
Action: Enacted as Amended  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2014-39**

**AN ORDINANCE APPROVING DIAMOND WILLOW - RAVENWOOD  
SINGLE-FAMILY RESIDENTIAL R-1 LOCAL OPTION ZONING DISTRICT,  
AND AMENDING KPB 21.46.040**

- WHEREAS,** KPB 21.44.030(A) provides that the record owners of at least three-fourths of the parcels within a described area of the rural district may petition the assembly for a greater restriction on land uses and development standards than otherwise provided; and
- WHEREAS,** a petition has been submitted by property owners of 19 parcels for the formation of an R-1, Single-Family Residential local option zoning district (LOZ), which is more than three-fourths of the 24 parcels within the described area; and
- WHEREAS,** KPB 21.44.040(A) requires that two-thirds of the parcels within the proposed district must be of the average size prevailing within the proposed district; and
- WHEREAS,** KPB 21.44.230 states that average size means the mathematical mean of the lot sizes within the proposed local option zoning district and that for a lot to qualify as average size, it must be within 50 percent, plus or minus, of the mathematical mean of all lots within the proposed local option zoning district; and
- WHEREAS,** the mean size of the parcels within the proposed local option zoning district is 1.73 acres; and
- WHEREAS,** 21 of the 24 parcels within the proposed district are within 50 percent of the mathematical mean of all lots within the proposed local option zoning district; and
- WHEREAS,** Goal 6.5, Objective 1, of the 2005 KPB Comprehensive Plan is “to ensure that land use regulations adopted by the Borough are necessary to control public and private land uses that affect public health and safety, address adverse impacts on the rights of adjacent property owners, or further the goals and objectives of the Comprehensive Plan”; and

**WHEREAS,** the 2005 KPB Comprehensive Plan notes that residents support local option zoning and recommend broader use of it as a way to address land use conflicts; and

**WHEREAS,** public notice of the proposed LOZ was distributed to all property owners within 300 feet of the boundaries of the proposed district, pursuant to KPB 21.44.050; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission held a public hearing on December 15, 2014 and recommended approval with the removal of Tracts A2A, A2 and Lot 1-A by majority consent;

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

**SECTION 1.** That the Assembly finds the adoption of the Diamond Willow - Ravenwood LOZ 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:

...

6. Diamond Willow – Ravenwood, described as follows:

Tract A, Ravenwood Subdivision Addition No. Two, according to Plat 77-41; Lots 1, 2, 3, and 4, Block 4 and Lots 1, 2, 3, 4, 5, 6, and 7, Block 5, Ravenwood Subdivision Addition No. 2, according to Plat 81-47;

Lots 1, 1A, 2, 3, and 4, Block 6 and Lots 8, 9, 10, and 11, Block Five, Ravenwood Subdivision No. 4, according to Plat 84-234;

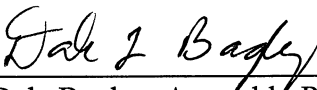
Lot A2, Diamond Willow Estates Subdivision Part 11, according to Plat 2012-93; all located in the Kenai Recording District, Third Judicial District, State of Alaska.

a. The local option zoning applies to any further replats within the Diamond Willow – Ravenwood LOZ.


**SECTION 3.** That this LOZ shall be recorded in the proper recording district.

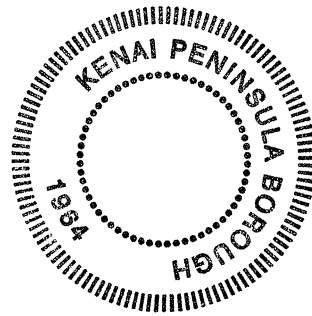
**SECTION 4.** That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS  
17TH DAY OF MARCH, 2015.

  
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Dale Bagley, Assembly President

ATTEST:

  
\_\_\_\_\_  
John Blankenship, MMC, Borough Clerk



Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf, Bagley  
No: None  
Absent: None