

Introduced by:	Mayor
Date:	10/31/17
Hearing:	12/05/17
Action:	Postponed as Amended to 01/16/18
Vote:	9 Yes, 0 No, 0 Absent
Date:	01/16/18
Action:	Tabled
Vote:	8 Yes, 0 No, 1 Absent
Date:	10/02/18
Action:	Per KPB 22.40.070(C) all Tabled Items were Stricken after Certification of the Regular Election

**KENAI PENINSULA BOROUGH
ORDINANCE 2017-31**

**AN ORDINANCE APPROVING MCKINLEY
SINGLE-FAMILY RESIDENTIAL R-1 LOCAL OPTION ZONING DISTRICT
AND AMENDING KPB 21.46.040**

WHEREAS, KPB 21.44.030(b) provides that the owners of property subject to a plat may propose a local option zoning district (“LOZD”) at the time of preliminary or final plat; and

WHEREAS, on September 25, 2017 the Plat Committee of the Kenai Peninsula Borough Planning Commission approved the McKinley Estates preliminary plat (File 2017-122), which consists of 29 lots ranging from approximately one acre to approximately six acres; and

WHEREAS, on September 19, 2017 the owners of the property subject to the McKinley Estates plat submitted an application to the borough requesting that the property be subject to the Single-Family Residential (R-1) District regulations; 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, Goal 6.6, Objective 1, of the 2005 KPB Comprehensive Plan is to facilitate development of local land use ordinances when there is support from local property owners; 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 LOZD was distributed to all property owners within the proposed district and 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 October 23, 2017 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 McKinley local option zoning district to be consistent with surrounding land uses and the KPB Comprehensive Plan,

SECTION 2. That KPB 21.46.040(A) is hereby amended by adding new subsection 11 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. McKinley Estates, described as follows:

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 19 and Tract A, McKinley

Estates Subdivision, according to Plat 2017-

Kenai Recording District.

SECTION 3. That this local option zoning district shall be recorded in the proper recording district.

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

Wayne H. Ogle, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Vote on motion to postpone as amended to 01/16/18:

Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: None

Vote on motion to table:

Yes: Bagley, Blakeley, Carpenter, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: Cooper