

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor CP
Max Best, Planning Director MB

FROM: Bruce Wall, Planner BW

DATE: November 21, 2109

RE: Ordinance 2019-35, Approving C & H Estates Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor)

This ordinance would approve the formation of a Single-Family Residential (R-1) Local Option Zoning District (LOZD) and, if approved, amend KPB 21.46.040 to include the C & H Estates LOZD.

An application was submitted to the Kenai Peninsula Borough Planning Department signed by the record owner of six lots within the proposed LOZD. On August 8, 2019, the planning department held a neighborhood meeting at the Kachemak Community Center. The meeting was attended by 25 area residents. The borough has since received the signatures of 60 percent of the parcel owners within the proposed LOZD indicating that they are in favor of the formation of the zoning district.

Three of the lots within the proposed LOZD are larger than the generally allowed maximum lot size of five acres for R-1 districts that are considered non-conforming lots pursuant to KPB 21.44.120. Pursuant to KPB 21.44.040(E) the borough has received written requests from the owners of the three non-conforming lots requesting to be included in the LOZD.

This proposal is consistent with the 2019 Kenai Peninsula Borough Comprehensive Plan which states, "Establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms".

KPB 21.44.060(A) states, "The assembly shall approve, disapprove, or modify the proposed LOZD. The assembly, in its legislative capacity, may disapprove an LOZD notwithstanding the district's meeting the criteria of this chapter."

Page -2-
November 21, 2019
RE: Ordinance 2019-35,

The Kenai Peninsula Borough Planning Commission reviewed the proposed LOZD at its regularly scheduled meeting held on September 23, 2019 and recommended approval.

Your consideration of this ordinance is appreciated.