

Introduced by: Mayor
Date: 12/03/19
Hearing: 01/07/20
Action: Enacted
Vote: 8 Yes, 1 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2019-35**

**AN ORDINANCE APPROVING C & H ESTATES SINGLE-FAMILY RESIDENTIAL
R-1 LOCAL OPTION ZONING DISTRICT AND AMENDING KPB 21.46.040**

WHEREAS, an application was submitted to the Kenai Peninsula Borough Planning Department signed by the record owner of six lots within the proposed local option zoning district (“LOZD”); and

WHEREAS, the planning department held a neighborhood meeting at Kachemak Community Center on August 8, 2019, regarding this proposed LOZD as required by KPB 21.44.040(C); and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the borough has 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 LOZD; and

WHEREAS, Goal 2, Focus Area: Land Use, Objective A of the Kenai Peninsula Borough's 2019 Comprehensive Plan is to establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms; and

WHEREAS, the Kenai Peninsula Borough Planning Commission reviewed the proposed LOZD at its regularly scheduled meeting of September 23, 2019 and recommended approval;

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

SECTION 1. That the assembly finds the adoption of the C & H Estates Local Option Zoning District to be consistent with surrounding land uses and the 2019 Kenai Peninsula Borough 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:

...

12. C & H Estates is described as follows:

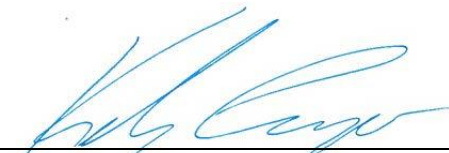
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42, 43, 44, and 45, C & H Estates, according to Plat 80-23; Lot 17C, C & H Estates Bell Addition No. 2, according to Plat 2000-58; and Lots 27A and 35A, C & H Estates Four, according to Plat 2005-86; all within the Homer Recording District.

a. The local option zoning applies to any further replats within the C & H Estates LOZD.

SECTION 4. That C & H Estates LOZD shall be recorded in the proper recording district.

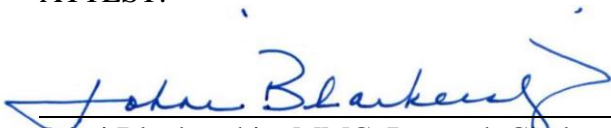
SECTION 5. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JANUARY, 2020.

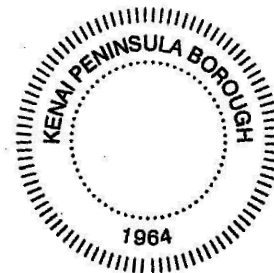


Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk



Yes: Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper

No: Bjorkman

Absent: None