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Introduced by: Mayor at Request of  
Planning Commission  
Date: October 19, 1976  
Hearing: November 16, 1976  
Action: Enacted  
Vote: 100.5 Yes, 27 No

KENAI PENINSULA BOROUGH

ORDINANCE 76-48

AN ORDINANCE AMENDING KPB 20.12.030 AND KPB 20.12.050 TO PROVIDE FOR THE NUMBER OF PLAT COPIES TRANSMITTED FOR PRELIMINARY APPROVAL AND AMENDING KPB 20.12.080 TO CLARIFY AND CORRECT THE PROCEDURES FOR NOTIFYING SUBDIVIDERS OF COMMISSION ACTION ON PRELIMINARY PLATS AND AMENDING KPB 20.16.020 TO PROVIDE FOR THE NUMBER OF PLAT COPIES TRANSMITTED FOR FINAL PLAT APPROVAL AND AMENDING KPB 20.20.290 TO PROVIDE FOR MINIMUM LOT SIZE REQUIREMENTS

WHEREAS, the number of plat copies now being transmitted to the borough is insufficient for proper review; and

WHEREAS, the procedure as outlined in KPB 20.12.080 can be better served by written notice alone; and

WHEREAS, the minimum lot size requirements need to be clarified and amended NOW THEREFORE

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That KPB 20.12.030 is hereby amended as follows:

20.12.030 Prints - Type and number to be submitted.  
[6] Ten (10) black [or blue] line prints of the preliminary plat shall be [submitted to] filed with the commission except those subdivisions located outside first class cities where only seven (7) copies need be filed.

Section 2. That KPB 20.12.050 is hereby amended as follows:

20.12.050 Subdivision in first class city.  
[--Transmittal of prints required.] Upon [submission] filing of a plat subdividing land within a first class city the commission shall transmit three (3) prints of the plat to the city advisory planning commission for its review. The city advisory planning commission shall review the plat and submit its comments to the commission within 45 days. If no comment is received within 45 days, the plat will be considered approved by the city.

Section 3. That KPB 20.12.080 is hereby amended as follows:

20.12.080 Approval--Commission authority--Notification required. Within [30] 45 days after filing the commission shall determine whether the preliminary plat complies with the provisions of law and this chapter, and shall approve, conditionally approve, or disapprove the plat. The commission shall [it and] notify in writing the subdivider of its action. [The commission's action shall be noted on 2 copies of the plat and 1 copy shall be returned to the subdivider.]

Section 4. That KPB 20.16.020 is hereby amended as follows:

20.16.020 Filing--Form and number of copies required --Certificate of approval required when. The subdivider shall file the final plat together with [4 blue or] 6 black line prints. [having all required signatures affixed. The original and all copies shall be signed.] If the subdivision is located within a first class city the subdivider shall also file a certificate of approval from the city that required improvements have been provided for.

Section 5. That KPB 20.20.290 is hereby amended as follows:

20.20.290 Lots--Minimum Size--[Considerations. A.]  
Lots must contain a minimum of:  
[1.] (A) 6,000 square feet if served by public water and sewer service.[;]  
[2.] (B) 9,600 square feet if the lots must have either their own well or sewer disposal.[;] In those cases where a subdivider wishes to provide lots smaller than 9,600 square feet but not less than 7,200 square feet, with each lot to be served initially by individual water or sewer disposal systems, the commission may allow such provided that only every other lot may be built upon until a state approved community water and sewer system is constructed or the subdivider secures the written approval of the appropriate

state department for the smaller lot size. Where only every other lot is to be used those lots which may be built upon shall be determined by the commission through conference with the developer. Lots approved for building shall be so noted on the final plat.

[3.] (C) [12,000] 20,000 square feet if both the well and sewer disposal are to be provided on the lot. In those cases where a subdivider wishes to provide lots smaller than 20,000 square feet but not less than 9,600 square feet; with each lot to be served by individual water and sewer systems, the commission may allow such provided that only every other lot may be built upon until a state approved community water or sewer system is constructed or the subdivider secures the written approval of the appropriate state department for the smaller size. Those lots which may be built upon shall be determined by the commission through conference with the developer. Lots approved for building shall be so noted on the final plat. The commission may also require designation of individual water and sewer disposal systems locations be shown on the final plat.

[B. In those cases where a subdivider wishes to provide lots smaller than 12,000 square feet but no less than 9,600 square feet, with each lot to be served by individual water and sewer disposal systems, the commission may allow such provided:

1. Only every other lot may built upon until a state-approved community water or sewer is funded. Those lots which may be built upon shall be determined by the commission through conference with the developer. Lots approved for building shall be so noted on the final plat; or
2. The subdivider secures the approval of the State Health Department.

C. In those cases where a subdivider wishes to provide lots smaller than 9,600 square feet but not less than 7,200 square feet, with each lot to be served by individual water and sewer disposal systems, the commission may allow such provided:

1. Only every other lot may be built upon until a state-approved community water and sewer system is funded. Those lots which may be built upon shall be determined by the commission through conference with the developer. Said buildable

lots shall be so noted on the final plat; or  
2. The subdivider secures approval of the  
State Health Department.]

Section 6. This ordinance shall be effective immediately upon  
adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16th  
DAY OF November, 1976.

  
Assembly President

ATTEST:

  
Borough Clerk