

Introduced by: O'Reilly
Date: September 19, 1978
Hearing: October 31, 1978
Vote: 81 Yes to 45 No
Action: Enacted as amended w/Recon
November 14, 1978
Final Action: Reconsidered & Defeated

KENAI PENINSULA BOROUGH

ORDINANCE 78-55

AN ORDINANCE AMENDING THE KENAI MUNICIPAL DISTRICT ZONING CODE AND MODIFYING CERTAIN PERMITTED DENSITIES AND USES WITHIN THE KENAI MUNICIPAL DISTRICT.

WHEREAS, the Kenai Municipal District Zoning Code has not been revised since 1975; and

WHEREAS, the Advisory Planning and Zoning Commission of the City of Kenai and the Kenai City Council have recommended to the Borough Planning Commission that certain changes be made to the Kenai Municipal District Zoning Code; and

WHEREAS, the Kenai Peninsula Borough Planning and Zoning Commission has recommended that the Kenai Municipal District Zoning Code be amended in order to reflect revised density and usage standards;

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

Section 1. That Section 21.76.070 (B) (1) be amended to read as follows:

1. Principal uses;
 - a. One and two-family dwellings.

Section 2. That Section 21.76.080 (B) (1) be amended to read as follows:

1. Principal uses;
 - a. One and two-family dwellings.
 - b. Churches, providing that no part of any building is located any nearer than 30 feet to any adjoining lot or street line.
 - c. Conditional uses as specified in Section 21.76.140.
 - d. Uses in this zone otherwise impermissible under this chapter shall be permitted when such uses have been allowed by, or provided by, covenants contained in plats valid at the time of approval and recording and this section shall not invalidate such uses.

Section 3. That Section 21.76.080 (C) (1) is amended to read as follows:

1. Minimum lot area--7,200 square feet.

Section 4. That Section 21.76.140 (F) be amended to read as follows:

F. Conditional uses in RR zone:

1. Multi-family group housing developments with up to four units may be permitted provided that the following conditions are met:
 - a. Maximum lot coverage--30%;
 - b. Yards around the site, off-street parking and other development requirements shall be the same as for principal uses in the RR zone;
 - c. Water and sewer facilities shall meet the requirements of all applicable health regulations;
 - d. The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not

adversely affect surrounding property uses and values;

- e. The building(s) shall be used only for residential purposes and for customary accessory uses, such as private garages, storage spaces and recreational community activities;
- f. There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population of the development;
- g. The development shall not produce a volume of traffic in excess of the capacity for which the access streets were designed.

- 2. Greenhouses and tree nurseries and animal boarding establishments may be permitted provided that setbacks, buffer strips and other provisions are adequate to insure that the use will not be a nuisance to or otherwise adversely affect surrounding properties. The Planning Commission shall specify the conditions necessary to fulfill this ordinance.

Section 5. That Section 21.76.140 (J) is hereby repealed.

Section 6. That Section 21.76.140 is hereby amended by adding a new subsection to be numbered 21.76.140 (J), which shall read as follows:

J. Conditional uses in RS zones;

- 1. Multi-family group housing developments with up to 6 units may be permitted provided that the following conditions are met;
 - a. Minimum lot sizes as follows; duplex 7,200 square feet; triplex 8,400 square feet; fourplex 9,600 square feet; fiveplex 10,800 square feet; sixplex 12,000 square feet.
 - b. Yards around the site, off-street parking and other development requirements shall be the same as for principal uses in the RS zones;
 - c. Water and sewer facilities shall be adequate to supply the development.

A letter of agreement between the applicant and the city shall accompany the application.


- d. The proposed dwelling group will constitute a residential area of sustained desirability and stability that will be in harmony with the character of the surrounding neighborhood and which will not adversely affect surrounding property values;
- e. The building shall be used only for residential purposes and the customary accessory uses, such as storage spaces, and recreational community activities;
- f. There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
- g. The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;
- h. The property adjacent to the proposed dwelling group will not be adversely affected.

Section 7. That this ordinance shall become effective immediately upon enactment.

DEFEATED
~~ENACTED~~ BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 14 DAY OF November, 1978.


JoAnn Elson, Assembly President

ATTEST:


Borough Clerk