

Introduced by: Mayor, at Request
of Planning Commission
Date: January 22, 1980
Hearing: February 19, 1980

KENAI PENINSULA BOROUGH

ORDINANCE 80-4

AMENDING THE SUBDIVISION ORDINANCE TO CLARIFY BUILDING SET-BACK REQUIREMENTS IN THE AREA OF THE BOROUGH WITHIN THE BOUNDARIES OF A FIRST-CLASS CITY.

WHEREAS, the Borough exercises planning and platting jurisdiction throughout all areas of the Borough and has adopted a subdivision ordinance in furtherance of that power; and

WHEREAS, the Borough has also exercised zoning powers within that portion of the Borough within the boundaries of a first-class city; and

WHEREAS, the Borough Planning Commission has recommended that the assembly amend the subdivision ordinance to provide that city ordinance setback requirements shall control subdivisions located within incorporated cities;

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

Section 1. That Section 20.20.230 of the Borough Code of ordinances is amended to read:

20.20.230 Building Setbacks --Outside Cities. A minimum 20 foot building setback [, OR AS DICTATED BY THE APPLICABLE BOROUGH ZONING CHAPTER, IF WITHIN A CITY] shall be [NOTED ON THE PLAT IN THE FOLLOWING FORMAT:] required for subdivisions located outside cities.

The setback shall be noted on the plat in the following format:


Building setback -- A setback of _____ feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.

Section 2. That Title 20 of the Borough Code of ordinances is amended by adding a new section, to be numbered 20.20.235, which shall read:

20.20.235. Building Setbacks -- Within Cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal district zoning contained in the borough code of ordinances.

Section 3. This ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 19th DAY OF February, 1980.



JoAnn Elson, Assembly President

ATTEST:



Borough Clerk

Kenai Peninsula Borough
Ordinance 80-4
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