

ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-135 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was ENACTED by the assembly of the Kenai Peninsula Borough on the 19th day of January, 1982 and will become effective immediately.

Francis Byrnes
Borough Clerk

Date: Jan. 21, 1982

Introduced by: Mayor at request
of Planning Comm.
Date: Dec. 15, 1981
Hearing: Jan. 19, 1982
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 81-135

AMENDING SECTION 20.04.070 OF THE BOROUGH CODE OF ORDINANCE PROVIDING FOR THE ABBREVIATED PLAT PROCEDURES IN THE SUBDIVISION OF LAND WITHIN THE BOROUGH.

WHEREAS, the Borough Administration, with concurrence of the Borough Planning Commission, desires to simplify the platting process in certain cases; and

WHEREAS, KPB 20.04.070 provided for abbreviated plat procedures and was enacted to simplify platting procedures, but does not adequately accomplish the task; and

WHEREAS, the abbreviated plat procedures should be supplemented; and

WHEREAS, these supplemental changes will benefit the public by reducing costs and time involved with the platting process;

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

Section 1. That KPB 20.04.070 is repealed, and a new KPB 20.04.070 is enacted to read:

20.04.070 Abbreviated plat procedure. The abbreviated plat procedure may be used in those instances where the subdivision or resubdivision is of a simple nature and meets all of the specific requirements of this section.

A. Eligible preliminary plats. Movement or elimination of lot lines and the simple subdivision of a single tract parcel or lot into two tracts or lots provided that the subdivision does not:

1. Result in any lot less than the minimum lot size required under existing zoning and this section.

2. Allow a change in the permitted use to which the lot or tract may be devoted under existing zoning.
3. Alter a dedicated street or other right-of-way or require additional dedication.
4. Deny adequate public access to and from all lots or tracts created and adjacent.
5. Require the granting of any exception to the Borough Subdivision Ordinance.

B. The platting of a vacation approved by the Platting Authority provided that only the vacation is to be depicted and no other alteration of the plat is sought or required by a city or Platting Authority.

C. Submission requirements. All of the submission requirements of Chapters 20.12 and 20.20 shall be met.

D. Statement of plat approval. The following form shall be printed on the final plat to be filled in after approval:

"Plat Approval"

This plat was approved by the Kenai Peninsula Borough Planning Commission in accordance with Section 20.04.070 Kenai Peninsula Borough Subdivision Regulations.

Date

Borough Official

E. Procedures. The Planning Director or his designee, shall review the submitted preliminary subdivision plats for completeness. If the preliminary plat does not meet the requirements of this section, the Platting Officer shall notify the subdivider and the surveyor by letter. If the preliminary plat does not conform to the requirement of the above mentioned plat procedures, the Platting Officer shall either return the plat to the petitioner or schedule the plat to be heard by the

Platting Authority at the next appropriate scheduled meeting.

F. Action:

1. The Platting Authority for the abbreviated plat procedure is vested in the Planning Director or his designee. The Planning Director shall within six (6) working days of receipt of the preliminary plat, subject to prior acquisition of all necessary outside reviews, take action on the plat, by the abbreviated plat process.

2. Preliminary approval of the plat shall be for a period of twelve (12) months. No extensions of time may be granted.

3. All decisions of the Planning Director or his designee regarding the preliminary plat shall be final unless appealed by the surveyor or subdivider to the Planning Commission. Any appeal to the Planning Commission shall be conducted as a preliminary plat application.

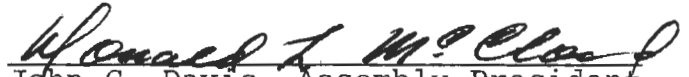
G. Final plat:

1. The requirements of the final plat shall be in accordance with Chapter 20.16 of the Borough Code of ordinances.

2. Where the preliminary plat has been approved by the Planning Director under this section, the final plat may be approved by the Planning Director or his designee when the final plat meets the conditions of the preliminary approval and complies with this title. When approved by the Director such approval shall be noted on a notarized form with a copy to the subdivider. The Director shall report such approvals at the next regular plat committee meeting. The subdivider or Director may elect to take the matter to the Planning Commission for determination.

Section 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 19th DAY OF January, 1982.


John C. Davis, Assembly President
Donald L. McCloud, Vice President

ATTEST:


Borough Clerk