

Introduced by: Mayor  
Date: October 26, 1989  
Hearing: Nov. 21, 1989  
Action: ENACTED  
Vote: UNANIMOUS

KENAI PENINSULA BOROUGH  
ORDINANCE 89-53

AMENDING TITLE 20 OF THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES TO DEFINE THE STATUS OF REMAINDER PARCELS RESULTING FROM RIGHT-OF-WAY ACQUISITION

WHEREAS, right-of-way acquisition platting procedures are mandated within KPB 20.04.080; and

WHEREAS, subsection "E" of KPB 20.04.080 provides restrictions against nonconforming remainder parcels resulting from right-of-way acquisition; and

WHEREAS, it has been found that greater flexibility is desirable for both an acquiring agency and an owner on this matter; and

WHEREAS, the Kenai Peninsula Borough Planning Commission considered this amendment and recommended enactment at their regular meeting of October 9, 1989.

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

Section 1. That subsection 20.04.080.E is amended to read as follows:

Section E., Remainder Parcels

No remainder parcel resulting from the right of way acquisition plat shall be allowed which does not conform to applicable city and borough codes unless:

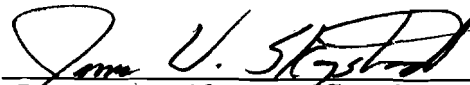
1) A note is placed on the plat indicating that damages have been paid to the owner of the remainder and that the nonconforming remainder cannot be developed without first being replatted so as to conform to applicable city and borough codes; or

2) The remainder meets the requirement for exception under KPB 20.20.190.C, or KPB 20.24.010.

Section 2. That this ordinance is effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 21 DAY OF November, 1989.

ATTEST:



James W. Skogstad, Assembly President



Janice Brindley,  
Borough Clerk



Catherine J. DeLacoe  
Deputy Borough Clerk