

Introduced by: Mayor
Date: 03/01/94
Hearing: 04/05/94
Action: Enacted as Amended
Vote: Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 94-10**

AN ORDINANCE AMENDING KPB 20.12.050, SUBDIVISION IN FIRST CLASS OR HOME RULE CITY, BY REVISING THE REVIEW PROCEDURES OF SUBDIVISION PLATS WITHIN FIRST CLASS OR HOME RULE CITIES

WHEREAS, proposed subdivisions and petitions to vacate public rights-of-way within first class or home rule cities must be reviewed by the affected city's planning commission and their comments concerning those proposed actions are a necessary part of the KPB Planning Commission's final approval; and

WHEREAS, due to different schedules of the affected cities and KPB Planning Commission meetings, the comments from the cities often arrive after the KPB Planning Commission has considered the proposed subdivision or vacation petition; and

WHEREAS, the KPB Planning Commission has expressed their desire for the affected city's comments to be included in staff reports regarding proposed subdivisions and vacation petitions; and

WHEREAS, the cities of Homer, Kenai, and Soldotna have requested that preliminary plats be submitted to their respective planning commissions prior to submittal to the Borough Planning Commission; and

WHEREAS, the Borough Planning Commission in its regular session on February 14, 1994 recommended enactment by unanimous consent;

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

SECTION 1. That KPB Code Section 20.12.050 is amended to read:

20.12.050. Subdivision or Replat in First Class or Home Rule City Submittal Procedure.

A. Preliminary plats showing a subdivision of land, or a replat caused by a proposed vacation of public right-of-way, lying within the corporate boundary of a first class or home rule city shall be first submitted to the appropriate city for review prior to submittal of the plat to the Borough Planning Department. In such instances, the city advisory planning commission shall

have 49 days from the date of receipt in which to review the preliminary plat and take action.

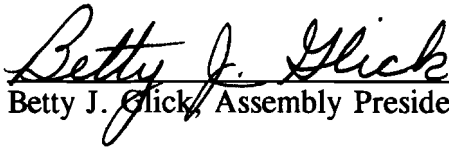
B. The preliminary plat submitted to the city shall comply with the requirements of Sections 20.12.060 and 20.12.070.

C. The city advisory planning commission and, if necessary, other appropriate municipal departments, shall review the plat or replat of a proposed vacation action and prepare written comments which shall be included with the submittal of the plat to the Borough. The subdivider bears the responsibility for presentations to, and discussions with, the city so that the final plat will conform to lawful ordinances and requirements of said city.

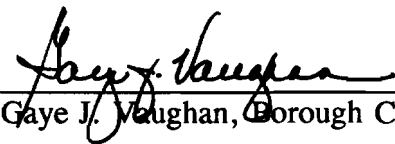
D. Final plats submitted to the Borough for approval will be submitted by the Borough to said city for review when the design deviates from the preliminary plat in a manner which has not been recommended by the city. In such instances, the city advisory planning commission shall have 49 days from the date of receipt in which to review the final plat and take action.

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

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5th DAY OF APRIL, 1994.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk