

Introduced by: Brown, Popp
& Horne
Date: 5/06/97
Hearing: 6/03/97
Postponed: 8/05/97
Action: Defeated
Vote: 2 Yes, 6 No

**KENAI PENINSULA BOROUGH
ORDINANCE 97-34**

**AN ORDINANCE AMENDING KPB CHAPTER 21.13 REQUIRING
COMMUNITY CORRECTIONAL RESIDENTIAL CENTERS
TO BE SITUATED ON LANDS OWNED OR
OTHERWISE CONTROLLED BY THE GOVERNMENT**

WHEREAS, KPB Chapter 21.13 requires any person using land within the Kenai Peninsula Borough to operate a correctional community residential center ("CCRC") to first obtain a land use permit from the borough; and

WHEREAS, through ordinance 96-33 the borough assembly authorized the establishment of a task force to evaluate areas within the rural district of the borough and recommend specific areas least subject to conflicts arising from locating CCRCs; and

WHEREAS, the task force was formed and submitted a report to the assembly on April 8, 1997 which contained numerous recommendations and detailed information; and

WHEREAS, the first recommendation by the task force, contained on page 1 — 1 of the report, was that the "government - to - government" model be pursued for establishing a CCRC within the borough in order to best maintain local control and public involvement in the location of a CCRC; and

WHEREAS, to best pursue this option KPB 21.13 should be amended to require all CCRCs follow the government - to - government model;

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

SECTION 1. That KPB 21.13.060 is hereby amended to read as follows:

21.13.060 Standards for correctional community residential centers.

CCRC's shall not be located within one-half geographical mile of any pre-existing public or licensed private school, a pre-existing licensed day care facility, or a pre-existing licensed senior citizen facility. The assembly may waive this requirement if any schools or facilities, as set forth above, located within one-half mile of the proposed CCRC expressly non-oppose so locating the CCRC.

Additionally, any CCRC must be situated on land owned, leased or otherwise controlled by either the Kenai Peninsula Borough or a municipality situated within the Kenai Peninsula Borough.

SECTION 2. That this ordinance shall be effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____, 1997.

Jack Brown, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk