

Introduced by: Mayor
Date: 08/03/04
Hearing: 09/07/04
Action: Enacted as Amended
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2004-27**

**AN ORDINANCE APPROVING BIRCH AND GROUSE RIDGE SUBDIVISION LOCAL
OPTION ZONING DISTRICT AS A RURAL-RESIDENTIAL (R-R) DISTRICT, AND
AMENDING KPB CHAPTER 21.46.030**

- WHEREAS,** KPB Chapter 21.44 was adopted to implement goal 5.5, Objective 1, Action B of the Borough Comprehensive Plan; and
- WHEREAS,** KPB 21.44.030(C) provides that a local option zoning (LOZ) district may be proposed at the time of preliminary or final plat approval; and
- WHEREAS,** KPB 21.44 establishes standards for rural residential districts; and
- WHEREAS,** the Kenai Peninsula Borough is the current and sole owner of the subject property; and
- WHEREAS,** the preliminary plat for Birch and Grouse Ridge Subdivision as a Rural-Residential LOZ was recommended for approval by unanimous vote at the February 24, 2004 meeting of the Cooper Landing Advisory Planning Commission; and
- WHEREAS,** the Kenai Peninsula Borough Planning Commission conducted a public hearing regarding the formation of the LOZ on August 23, 2004 and recommended that section 2 of the ordinance be amended by deleting section 2.b. and that the ordinance be adopted as amended;

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

SECTION 1. That the Assembly finds the proposed local option zoning district is consistent with the KPB Comprehensive Plan, and would be a benefit to the local community by providing some restrictions on development while allowing for a variety of land uses.

SECTION 2. That KPB 21.46.030 is hereby amended as follows:

21.46.030. Rural Residential (RR) Districts.

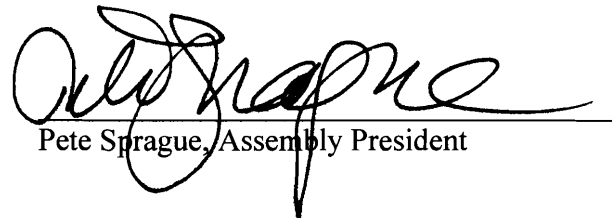
- A. The following Rural Residential (R-R) districts and official maps are hereby adopted:

1. Russian Gap Subdivision according to Plat 2001-4, Seward Recording District, Cooper Landing, Third Judicial District, State of Alaska, containing 118.507 acres.
 - a. The local option zoning applies to any further replats of Russian Gap Subdivision.
2. Birch and Grouse Ridge Subdivision according to Plat 2004-14, Seward Recording District, Cooper Landing, Third Judicial District, State of Alaska, containing 317.962 acres.
 - a. The local option zoning applies to any further replats of Birch and Grouse Ridge Subdivision.
 - b. The owner, lessee, resident, or person exercising physical control of property within this district shall install approved bear-resistant garbage can enclosures for storage of garbage on the property. A list of approved bear-resistant garbage can enclosures is available at the Planning Department of the Kenai Peninsula Borough. Alternatively garbage can enclosures may be approved on a case-by-case basis by the Planning Department of the Kenai Peninsula Borough after consultation with the Alaska Department of Fish and Game.

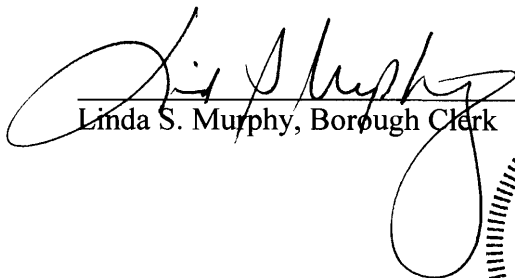
SECTION 3. That this Local Option Zoning District plat shall be recorded in the Seward recording district and upon recordation, the Kenai Peninsula Borough Clerk is authorized to insert the recording number of the plat in the appropriate location within Section 2 of this ordinance.

SECTION 4. This ordinance shall become effective immediately upon its adoption.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF SEPTEMBER, 2004.


Pete Sprague, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk

