

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

**KENAI PENINSULA BOROUGH  
ORDINANCE 2004-28**

**AN ORDINANCE ESTABLISHING THE GRANDE VIEW HEIGHTS ONE  
LOCAL OPTION ZONING DISTRICT, AND AMENDING KPB 21.46.040**

- WHEREAS**, Chapter 21.08 of the Kenai Peninsula Borough Code provides for property owner petition to the assembly for a greater restriction on land use than otherwise provided in Title 21 of the code; and
- WHEREAS**, Goal 5.4 of the Kenai Peninsula Borough Comprehensive Plan is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land; and
- WHEREAS**, consistent with Goal 5.5, Objective 1, Action B of the Comprehensive Plan, local option zoning guidelines were established by KPB 21.44; and
- WHEREAS**, KPB 21.44.030(C) authorizes the formation of local option zoning districts at the time of preliminary or final plat approval; and
- WHEREAS**, on July 13, 2004, in compliance with Chapter 21.08 the Planning Department received a petition from Salamatof Native Association, Inc., sole owners of the subject property, requesting single family residential zoning for Grande View Heights Phase 1 Subdivision;
- WHEREAS**, on August 23, 2004 the Planning Commission held a public hearing on the proposed local option zoning district and recommended enactment by unanimous consent.

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

**SECTION 1.** That KPB 21.46.040 is amended as follows:

**21.40.040 Single-Family Residential (R-1) Districts**

- A. The following Single-Family Residential (R-1) districts and official maps are hereby adopted:
1. Ten Mar Ranch, described as a subdivision of the S 1/2 NE 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4, and W 1/2 SE 1/4 including Gov't.

Lots 3 and 6, Mary Miller Subdivision (Plat No. 97-90 KRD) excluding Hollingsworth Subdivision. Located within Section 18, T5N, R9W, S.M., Kenai Recording District, Kenai Peninsula Borough Alaska. Containing 311.893 acres.

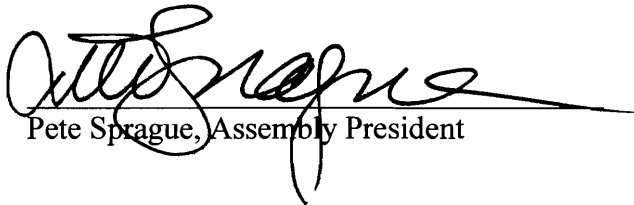
2. Grande View Heights One, described as Grande View Heights Subdivision Phase 1, Plat 2004-68, Kenai Recording District, Kenai Peninsula Borough, Alaska, containing 56.912 acres.

a. The local option zoning applies to any further replats of Grande View Heights Phase 1 Subdivision.

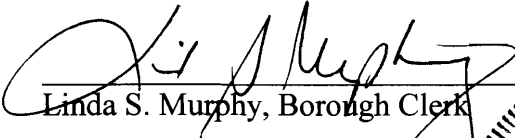
**SECTION 2.** That this Local Option Zoning District shall be recorded in the Kenai recording district and upon recordation, the Kenai Peninsula Borough Clerks is authorized to insert the recording number of the plat in the appropriate location within Section 1 of this ordinance.

**SECTION 3.** That this ordinance takes effect immediately upon its enactment

**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

