

## MEMORANDUM

**TO:** Grace Merkes, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Gary Knopp, Assembly Member

**DATE:** December 20, 2007

**SUBJECT:** Ordinance 2008-02, requiring that roads constructed prior to final plat approval meet borough maintenance standards

This ordinance is proposed as an alternative approach to the requirement in Ordinance 2007-33 that roads dedicated by a plat be built to Road Service Area (RSA) standards if they are in close proximity to currently maintained roads.

At this time there is no link between the approval of subdivision plats and road construction requirements, which enables developers to build substandard roads on areas proposed to be dedicated before the plat is approved.

Instead of requiring that roads in close proximity to the maintenance system be built to RSA standards before a plat may be approved, this ordinance requires pre-existing roads throughout the entire service area proposed for dedication be built to RSA standards before the plat is approved. If no roads have been built, then the plat may be approved without the roads being built. Once the plat is approved, then the road is dedicated and is therefore subject to RSA construction permitting requirements.

As indicated by the memorandum from the Legal Department, there are some areas that may need further clarification. However, I believe it is important for the assembly to see this potential approach during its meeting on January 8, 2008. Your consideration is appreciated.