

Introduced by: Martin
Date: 01/20/09
Hearing: 02/17/09
Action: Postponed until 03/24/09
Date: 03/24/09
Action: Amended by Substitute
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2009-04**

**AN ORDINANCE AMENDING KPB CHAPTER 20.20, SUBDIVISION DESIGN
REQUIREMENTS, TO REQUIRE A MINIMUM WIDTH OF 60 FEET FOR PLATTED
LOTS**

- WHEREAS,** right-of-way width for certain streets must be 60 feet pursuant to the platting code design requirements; and
- WHEREAS,** the minimum right-of-way width for a road to meet standards for road maintenance certification is 60 feet as provided in KPB 14.06.100(A)(1); and
- WHEREAS,** subdivisions have been approved containing "flag lots," which are lots located behind other lots, with access to the dedicated street via a narrow strip of land or "stem" along the side of the front lot; and
- WHEREAS,** when the "flag lot" is large enough to be further subdivided, more than one property owner may ultimately use the "stem" for access, and the public's interest is best served by requiring such "stems" to be at least 60 feet wide so that there will be enough width to enable the "stem" to be dedicated and certified for road maintenance should the need arise in the future; and
- WHEREAS,** the best interests of the public would be served by making the minimum required right-of-way and lot stem widths identical;

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

SECTION 1. That KPB 20.20.180 is hereby amended as follows:

20.20.180. Lots—Dimensions.

The size and shape of lots shall be such as to provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Lots shall not be less than 60 feet wide on the building setback line. Any lot that is capable of further

subdivision shall also not be less than 60 feet wide from the point where the lot abuts the dedicated street to the building setback line. The minimum depth shall be no less than 100 feet, and the depth shall be no greater than 3 times the width.

SECTION 2. Plat submittals received on or after the effective date of this ordinance must comply with the provisions of this ordinance. Plats which have received preliminary approval or an extension for final plat approval on the date of enactment of this ordinance are subject to the subdivision regulations in effect on the date preliminary plat approval or the extension was granted. Any further extensions for final plat approval are subject to the requirements of this ordinance.

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

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2009.

Milli Martin, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent: