



## **KENAI PENINSULA BOROUGH**

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**DAVE CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Milli Martin, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** *slaw* David R. Carey, Borough Mayor

**FROM:** *mb* Max Best, Planning Director

**DATE:** April 8, 2009

**SUBJECT:** Ordinance 2009-26, amending KPB Chapters 20.12 and 20.20 to establish a subdivision or replat submittal procedure for second class cities within the borough and to clarify regulations regarding minimum lot size, and amending KPB Chapter 21.01 regarding delegation of planning, platting, and zoning powers to cities

Kachemak City's recent request for a delegation of limited platting powers brought to light that the current delegation provision in the borough code only addresses delegation of zoning powers. AS 29.40.010 authorizes the delegation of planning, platting, and land use powers. The attached ordinance amends KPB 21.01.020 to establish a process for platting and planning delegations. The ordinance also revises the hearing and appeal processes and allows the city to establish its own process rather than restricting the process to a planning commission and Board of Adjustment procedure.

KPB 20.12.050 sets forth a process for the approval of plats in first class and home rule cities. Currently, Title 20 does not specify a process for the approval of plats in a second class city. The ordinance also revises KPB Chapter 20 regarding a process for approval of plats within a second class city, and specifically amends the provisions regarding lot size to accommodate not only zoning regulations that address lot size, but subdivision regulations that address this issue as well.

This ordinance should be considered prior to the ordinance delegating limited platting authority to Kachemak City as it provides that authority for the action proposed in the other ordinance.