

Introduced by: Kenai  
River Spec. Com.  
Date: Jan. 22, 1985  
Vote: 13 Yes, 1 No  
Action: ADOPTED

KENAI PENINSULA BOROUGH

RESOLUTION 85-15

PROVIDING FOR AN EXTENSION OF THE MORATORIUM ON ACCEPTANCE OF APPLICATIONS, PROCESSING, OR APPROVAL OF SUBDIVISIONS INVOLVING SUBSTANDARD LOT SIZES WHERE THE SUBDIVISIONS ARE PROPOSED FOR THE PURPOSES OF RECREATIONAL USE.

WHEREAS, the Kenai River Special Management Area Advisory Board is studying land use along the Kenai River and is to develop a comprehensive management plan by June, 1986; and

WHEREAS, no current ordinance exists for the subdivision of properties for high density recreational use; and

WHEREAS, such recreational subdivisions are primarily in the river recreational areas of the Kenai Peninsula Borough; and

WHEREAS, problems have been experienced with the procedures of allowing such subdivisions by exception, and such procedures are inadequate to properly handle such subdivisions; and

WHEREAS, any actions to be taken by the Kenai Peninsula Borough in establishing regulations or conditions for such high density recreational subdivision use will be dependent, in part, upon plans that will be established by the State of Alaska in connection with the Kenai River Management Plans; and

WHEREAS, it is deemed necessary by this assembly to provide a moratorium on acceptance or processing, or approval of any high density recreational subdivisions that involve lots of substandard size for the purposes of waste disposal or other lot size requirements under the borough ordinances;

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

Section 1. That until June, 1986, or until the Kenai River Special Management Area Advisory Board comprehensive management plan is adopted by the assembly, no applications shall be accepted and processed, and no exception or approval shall be granted for any subdivision which is proposed for the purpose of providing recreational use lots where the subdivision would result in the substandard lot size that is not capable of meeting the standards for disposal of waste materials imposed by the Department of Environmental Conservation of the State of Alaska, or that would result in high density use such as would require a special exception to the existing ordinances of the Borough, or to existing statutes of the State of Alaska, and any regulations

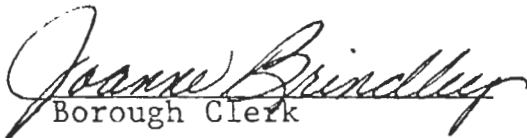
adopted pursuant to those ordinances and statutes.

Section 2. That this resolution takes effect immediately on the date of its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS 5th DAY OF February, 1985.

  
Marilyn Dimmick, Assembly President

ATTEST:

  
Borough Clerk