

Introduced by: Manager Gifford  
Drafted by: CDD Director  
Requested by: CDD Director  
Introduced on: 02/19/2009  
Public Hearing: 03/05/2009  
Adopted: 03/05/2009

**KODIAK ISLAND BOROUGH  
ORDINANCE NO. FY2009-15**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH  
REZONING LOTS 20, 21, AND 22 OF U.S. SURVEY 3098  
FROM B-BUSINESS TO PL-PUBLIC USE LANDS**

**WHEREAS,** the existing police station and jail were constructed in the 1940's and has reached the point of obsolescence; and

**WHEREAS,** the Kodiak Police Department (KPD) has outgrown both their facility and the site it is located on; and

**WHEREAS,** the City of Kodiak gone through an extensive site selection process and identified lots on Mill Bay Road to construct offices for the police department, a community jail and an emergency operations center, all necessary and critical facilities needed for the community; and

**WHEREAS,** public facilities constructed in the PL- Public Use Lands zoning district are held to a higher standard of review due to their unique nature and use than comparable private sector developments and the city's proposed multipurpose structure in this location requires that additional review demanded by the public; and

**WHEREAS,** this City multipurpose facility has been reviewed by the commission on numerous occasions providing the public with ample opportunities for comment and input. These additional public hearings have led to this project receiving other approvals by the commission such as a conditional use permit and approval of a site plan; and

**WHEREAS,** rezoning these parcels to PL-Public Use Lands means this public facility will be located adjacent to other public facilities located on lands zoned PL such as East Elementary School, the hospital, and the cemetery; and

**WHEREAS,** the commission held properly noticed public hearings on this request and is recommending that the Assembly find that a rezone of these parcels from B- Business to PL – Public Use Lands is in keeping with other public facilities located on PL zoned lands.

**NOW, THEREFORE BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH** that the following parcels be rezoned from B-Business to PL Public Use Lands:

- Section 1:** This ordinance is not of general application and shall not be codified.
- Section 2:** Lots 20, 21, and 22 U.S. Survey 3098 be rezoned from B - Business to PL-Public Use lands.

52 **Section 3:** The findings of the Kodiak Island Borough Planning and Zoning Commission are  
53 hereby confirmed as follows:  
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55 17.72.020 A. Findings as to the Need and Justification for a Change or  
56 Amendment.  
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58 Although the population of the City of Kodiak has been flat for the past several  
59 years, the existing police station and jail facility have long been in need of  
60 replacement. Part of this need is simply through the recognized obsolescence of  
61 the existing building itself and part of this need is through the growth of the police  
62 force and the increased demands being placed on the existing jail facility. The jail  
63 facility is recognized to be substandard by state authorities and as such is only  
64 permitted for a maximum of ten day holding. So this change would allow the  
65 community to develop a new police station and jail in the PL-Public Use Land  
66 zoning district to provide a new facility that able to handle the unmet needs of the  
67 community and to meet current state and local standards for holding prisoners for  
68 up to 30 days maximum.  
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70 17.72.020 B. Findings as to the Effect a Change or Amendment would have on  
71 the Objectives of the Comprehensive Plan.  
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73 The Comprehensive Plan mentions the tentative location of a new police station  
74 and jail on near island but it also recognized the prospect that the city might  
75 continue to consider other options in its extensive and extended site selection  
76 process. Although it was not possible to recount in the plan all of the potential  
77 sites considered by the City of Kodiak, it seems clear through the diligent efforts  
78 of the City that this location best meets the future community need for a new  
79 police station and jail. Loss of the commercial zoned land in this location is not of  
80 major concern as the community appears to have a surplus of undeveloped and  
81 underdeveloped commercial zoned property. In addition, the plan generally  
82 encourages commercial use and development to be located in the downtown  
83 Kodiak area or in other recognized commercial nodes such as the  
84 Safeway/Lakeside subarea or Near Island.  
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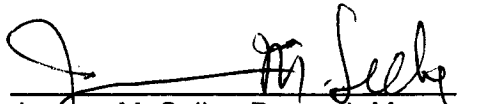
86 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**  
87 **THIS FIFTH DAY OF MARCH, 2009**  
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ATTEST:

  
Nova M. Javier, CMC, Borough Clerk

KODIAK ISLAND BOROUGH

  
Jerome M. Selby, Borough Mayor