

Introduced by: Manager Gifford  
Requested by: CDD  
Drafted by: CDD Director Cassidy  
Introduced: 04/01/2010  
Public Hearing: 04/15/2010  
Adopted: 04/15/2010

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**KODIAK ISLAND BOROUGH  
ORDINANCE NO. FY2010-08**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH REZONING  
LOT 11A, U.S. SURVEY 3474 FROM C-CONSERVATION TO RNC- RURAL  
NEIGHBORHOOD COMMERCIAL**

**WHEREAS,** the Roads End Bar and Restaurant operated successfully out at the end of Chiniak Road on what is now known as Lot 11A, U.S. Survey 3474 for many years; and

**WHEREAS,** this establishment has been closed and the new owners desire to reestablish its historical use; and

**WHEREAS,** the current zoning district provides for primarily residential uses and a commercial bar/restaurant is prohibited in a residential zoning district; and

**WHEREAS,** the 2008 Kodiak Island Borough Comprehensive Plan Update has identified this area of Chiniak for a future "Rural Mixed Use Commercial/Residential" node; and

**WHEREAS,** this request is consistent with the borough's comprehensive plan; and

**WHEREAS,** the commission held a properly noticed public hearing on this request and is recommending that the Assembly approve the request to rezone this parcel from C-Conservation to RNC- Rural Neighborhood Commercial.

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:**

**Section 1:** This ordinance is not of a general and permanent nature and shall not become a part of the Kodiak Island Borough Code of Ordinances;

**Section 2:** Lot 11A, U.S. Survey 3474 is rezoned from C-Conservation to RNC- Rural Neighborhood Commercial.

**Section 3:** The findings of the Kodiak Island Borough Planning and Zoning Commission are hereby confirmed as follows:

**17.72.020 A. Findings as to the Need and Justification for a Change or Amendment.**

The rezoning of Lot 11A, U.S. Survey 3474 from C-Conservation Zoning District to Rural Neighborhood Commercial would allow the property owner to re-establish a historical use as a permitted use within the existing structure of the zoning code.

The rezoning of Lot 11A, U.S. Survey 3474 from C-Conservation Zoning District to Rural Neighborhood Commercial would allow the property owner to expand amenities and services, unencumbered by a "non-conforming" zoning designation.




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**17.72.020 B. Findings as to the Effect a Change or Amendment would have on the Objectives of the Comprehensive Plan.**


The rezoning of Lot 11A, U.S. Survey 3474 from C - Conservation Zoning District to Rural Neighborhood Commercial would serve to implement the objectives of the 2008 Comprehensive Plan Update of the Kodiak Island Borough relating to the Chiniak community.

**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH  
THIS FIFTEENTH DAY OF APRIL, 2010**

KODIAK ISLAND BOROUGH

  
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Jerome M. Selby, Borough Mayor

ATTEST:

  
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Nova M. Javier, MMC, Borough Clerk