



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Blaine Gilman, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Mike Navarre, Mayor *MN*
Brent Johnson, Assembly Member

DATE: March 24, 2016

SUBJECT: Ordinance 2016-03 Substitute (Mayor/Johnson), Local Option Zoning

After listening to concerns raised by assembly members regarding ordinance 2016-03 a substitute ordinance is proposed with several revisions to the pending ordinance including retention of a mixed commercial zone, the deletion of the 500 foot buffer surrounding a local option zoning district (LOZD) and a revised application process requiring significant property owner support prior to assembly introduction.

Proposed KPB 21.44.040 "Formation Requirements" is revised to delete the 500 foot radius surrounding LOZDs where uses governed by KPB 21.25.040 are disallowed.

KPB 21.44.050 "Public hearings and notification requirements" is revised to require the planning department to distribute a summary statement of a proposed LOZD's regulations and boundaries to affected property owners which shall contain an opportunity for owners to show their support with their signature.

KPB 21.44.060 "Assembly action" is revised to require that 60 percent of the parcels in a proposed LOZD have the signature indicating an owner's approval of the LOZD before being introduced to the assembly.

KPB 21.44.140 "Rezoning" is revised to mirror the same process for establishing an LOZD.

KPB 21.44.190 "Mixed use district (C-3)" is retained in the substitute allowing for a district that could have mixed commercial and residential uses. Industrial uses and certain commercial enterprises (sexually oriented businesses, marijuana establishments, and alcohol establishments) are prohibited.

The following definitions are added to KPB 21.44.230 in the substitute: inoperable vehicle, sexually oriented business, wrecked vehicle.

Your consideration of the substitute is appreciated.