



## KENAI PENINSULA BOROUGH

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MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

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

**THRU:** Mike Navarre, Mayor *P.O. Mr M.N.*

**FROM:** Max Best, Planning Director, *MB*  
*K* Holly Montague, Deputy Borough Attorney

**DATE:** January 25, 2016

**SUBJECT:** Amendments to Ordinance 2016-03, Local Option Zoning and related codes

The administration respectfully requests the assembly approve the following amendments to this ordinance:

- In order to be consistent with the formatting of the animal restrictions in the various local option zoning districts amend proposed KP.B 21.44.175(D)(7)(e) in Section 1 of the ordinance by removing it as shown in ~~strikeout~~ below:

7. Prohibited uses and structures. The following uses and structures are prohibited in the R-W district:

- a. [THE OWNER OF THE PROPERTY] A lot within the LOZD shall not be subleased, subcontracted, or marketed [THE PROPERTY] for non-allowed uses.
- b. No more than two travel trailers or motor homes may be [KEPT] on each lot at any time.
- c. Pit-style outhouses are [NOT ALLOWED]prohibited.
- d. No more than two of either inoperable or unregistered vehicles are allowed on each lot at any time.

[d.]~~e.~~ [DOG LOTS AND KENNELS ARE PROHIBITED.] Livestock and pets are allowed or prohibited as provided in KP.B 21.44.160(C)(6).

[E. DOMESTIC FARM ANIMALS ARE PROHIBITED.]

- In order to be consistent with the formatting of the animal restrictions in the various local option zoning districts add a new KPB 21.44.175(D)(8) as follows:

8. Livestock and pets.

- a. Dog Lots: Dog lots and kennels are prohibited.
- b. Household pets including, but not limited to, dogs and cats shall be allowed provided that no more than four household pets of more than six months of age are kept on the lot.
- c. Poultry, fowl and small animals shall be properly contained (e.g., chicken coop, rabbit hutch) and shall be located in accordance with the required accessory use setbacks. No more than 10 such animals over 6 months old are allowed.
- d. Hoofed animals are prohibited, except for a single miniature horse used as a service animal.

- At introduction of the ordinance it became apparent that there should be further clarification of the protections of prior existing status. Amend KPB 21.46.130 in Section 7 as shown in **bold and underline** and ~~strikeout~~ as shown below:

**21.46.130 – Preexisting LOZDs.**

**A.** College Heights Subdivision Zoning District (KPB 21.09), North Fork One Zoning District (KPB 21.40) are recognized as single family residential zoning districts (R-1) under KPB 21.44.160. Keystone Estates Subdivision Zoning District (KPB 21.42) is recognized as a residential waterfront (R-W) zoning district.

**B.** ~~Prior existing lots, structures and uses in~~ **Lots, structures, and uses established in LOZDs existing as of December 8, 2015, January 5, 2016, are deemed considered lawful prior existing lots, structures and uses.** ~~as lawfully existing for the North Fork One Zoning District, Keystone Estates Subdivision Zoning District, and College Heights Subdivision Zoning District.~~ Modifications to ~~the~~ **these** prior existing lots, structures, and uses require compliance with KPB 21.44.