

**MAY 13, 2020  
PLANNING AND ZONING COMMISSION MEETING  
ADDITIONAL MATERIAL/REVISION**

**REQUESTED REVISIONS TO THE AGENDA/PACKET:**

<b><u>ACTION</u></b>	<b><u>ITEM</u></b>	<b><u>REQUESTED BY</u></b>
Add to Item D.1.	<b>Resolution No. PZ2020-07</b> <ul style="list-style-type: none"><li>• Memorandum of Additional Recommended Conditions</li></ul>	City Planner
Add to Item F.1.	<b>Resolution No. PZ2020-04</b> <ul style="list-style-type: none"><li>• Memorandum of Supplemental Information</li><li>• Memorandum Attachment – Written Public Comment Letter from Mr. Jason R. Parks and Ms. Hannah C. Parks, 740 Baleen Avenue</li><li>• Memorandum Attachment – Kenai Municipal Code 14.22.010 Land use table</li></ul>	City Planner



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Kenai Planning and Zoning Commission  
**FROM:** Elizabeth Appleby, City Planner  
**DATE:** May 13, 2020  
**SUBJECT:** PZ20-07 – Section 1 Additional Recommended Conditions

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Resolution PZ20-07 provides a recommendation to the Kenai Peninsula Borough for the preliminary plat of Beaver Loop Acres Addition No. 2. Section one of Resolution PZ2020-07 in the packet lists five conditions of approval. I recommend the Commission add the following conditions:

6. Amend the text for plat note six to add Lot 2A; the text that covers wastewater disposal for Lots 5-9 is also applicable to Lot 2A.
7. Demarcate wet areas or add contour lines to the plat.
8. Amend plat note three to reflect new City maintenance of Beaver Loop Road and remove the apostrophe from ROW's to state, "No private access to City maintained ROWs permitted unless approved by the City of Kenai".

Thank you for your consideration.



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## MEMORANDUM

**TO:** Kenai Planning and Zoning Commission  
**FROM:** Elizabeth Appleby, City Planner  
**DATE:** May 13, 2020  
**SUBJECT:** PZ2020-04 – Public Testimony and Supplemental Information

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Since the publishing date of the packet for the meeting on May 13, 2020, the City has received one phone call and one letter regarding PZ2020-04. The phone call was to communicate concerns for the impact of increased traffic to property owners along Baleen Avenue. The caller felt that people would not access the property off of Kalifornsky Beach Road nor VIP Drive because of the location and height of the bike path hindered accessing the property via Kalifornsky Beach Road or VIP Drive. The letter expressed concerns for a decrease in adjacent property values, pedestrian safety on the bike path along Kalifornsky Beach Road, and increased traffic on Baleen Avenue, VIP Drive, and Pirate Lane. The letter is attached to this memorandum.

In addition, attached to this memorandum is the Land Use Table in Kenai Municipal Code 14.22.010 Land use table. I have highlighted allowed uses in the Rural Residential (RR) and the LC (Limited Commercial) zones of the City so Commissioners may compare the two zones. A summary of differences in land use between the RR and LC zones includes the following:

- (more restrictive change) Principal uses in the RR Zone that do not require a conditional use permit and are not permitted in the LC Zone include: farming/general agriculture
- (more restrictive change) Principal uses in the RR Zone that do not require a conditional use permit and are only allowed in the LC Zone with a conditional use permit include: four-family dwelling
- (more restrictive change) Uses that are allowed with a conditional use permit in the RR Zone that are not permitted in the LC Zone include: mobile home parks, accessory building on parcel without main building or use, automotive sales, automotive services stations, airports, automotive repair, manufacturing/fabricating/assembly, storage yard, warehouses, assemblies (large: circuses, fairs, etc.), cemeteries, recreational vehicle parks, subsurface extraction of natural resources, surface extraction of natural resources
- (less restrictive change) Uses that are not allowed in the RR Zone that would be allowed in the LC Zone with a conditional use permit include: airport compatible uses, standard marijuana cultivation facility, marijuana testing facility, retail marijuana store

- (less restrictive change) Uses that are allowed in the RR Zone with a conditional use permit that would be allowed as a principal use without a conditional use permit in the LC Zone include: professional offices, necessary aviation facilities, clinics, governmental buildings, day care centers, gunsmithing, taxidermy, some personal services (see footnote 27), clinics
- (no change) Principal uses in both RR and LC zones that do not require a conditional use permit include: one-family dwelling, two-, three-family dwelling, essential services, churches (some additional requirements in RR zone; see footnote 10)
- (no change) Conditional uses in both RR and LC zones that require a conditional use permit include: five-six-family dwelling, seven- or more family dwelling, townhouses (some additional requirements in RR zone; see footnote 3), planned unit residential development, banks, business/consumer services, commercial recreation, guide service, hotels/motels, lodge, limited marijuana cultivation facility, restaurants, retail business, theaters, wholesale business, mini-storage facility, assisted living, colleges, elementary schools, high schools, hospitals, libraries, museums, parks and recreation, animal boarding/commercial kennel, bed and breakfasts, cabin rentals, communications towers and antenna(s), radio/TV transmitters/cell sites, crematories/funeral homes, dormitories/boarding houses, fraternal organizations/private clubs/social halls and union halls, greenhouses/tree nurseries, nursing, convalescent or rest homes, public parking lots, some personal services (see footnote 27),
- (no change) Uses not permitted in both RR and LC zones: adult businesses, marijuana product manufacturing facility, gas manufacturer/storage, assisted living



Jason R. Parks and Hannah C. Parks  
740 Baleen Ave.  
Kenai, AK 99611

Dear Kenai City Council members,

We are writing to express our concerns regarding the rezoning request PZ2020-04. We have reviewed the request and the general information included in the agenda for this week's meeting, and we are familiar with the lot as our own residence is adjacent to it. As it is written, the rezoning request does not support the purpose or safety of the VIP Estates neighborhood for the following reasons.

First, we are concerned that commercial buildings on this lot would greatly increase noise and traffic on Baleen Avenue, VIP Drive, and Pirate Lane. Baleen is a narrow dirt road, and is unfit for the levels of traffic that commercial areas would bring. It would sustain significant damage each spring with frequent commercial traffic. Further, many children live in this neighborhood and enjoy riding bikes, and residents frequently enjoy walking around the neighborhood. This activity would not be safe with commercial traffic driving through the residential neighborhood streets. The residents of this neighborhood choose to live here because it is quiet, safe, and private. Increased traffic on the neighborhood streets would negatively affect all three of those qualities.

Second, we are concerned that our property, and that of the other properties adjacent to this lot on Baleen and VIP, would decrease in value if commercial buildings were placed directly on Baleen and VIP without a treeline to obscure them and substantial setback requirements. If the lot were to be cleared of its many trees, noise from passing traffic on K Beach Road would more easily reach the neighborhood, and commercial buildings would be visible from front yards. Seeing a neighboring house from a window is one thing. Seeing a commercial building is something else entirely. We purchased our property with the understanding that the properties surrounding it are residential, not commercial.

Third, we are concerned for the safety of the walking path on K Beach Road if commercial businesses were to be built on this lot. Entrances to the lot from K Beach would have to cross over the path, which would put pedestrians, cyclists, and other path users in direct contact with vehicular traffic. This raises the risk of accidents and vehicle-related injuries significantly.

For these reasons, we believe that the existing rezoning request would damage the overall character, safety and value of the VIP Estates neighborhood.

If it is in the power of the City Council and planning board, the addition of specific requirements for the development of this lot would make the rezoning request more compatible with the neighborhood of VIP Estates:

- If it were specified that the property were to only have vehicle access from K Beach Road and not from the residential-facing side of the property (Baleen), the concern of increased traffic on VIP, Pirate and Baleen would be properly addressed.
  - Vehicle access from K Beach Road should be limited to only one entrance, so as to reduce the number of areas in which pedestrians using the walking path would come into contact with vehicles.
- If a significant tree line were to remain intact on the Baleen and VIP sides of the lot and any commercial buildings were to be set back from the roads by at least 100 feet, the residential area would better be able to maintain its private and quiet character.

Below we have included two pictures. The first is of the aerial view of the lot included in the agenda, which is an older photo taken before our home was built in 2014 and as such does not accurately represent the area. We have outlined our lot in yellow in the image. We have also included an image of Baleen Avenue in front of our house, so that you may see the Baleen Avenue side of the lot. Only images of the Kalifornsky Beach Road and Pirate Lane sides of the property were included in the application.

Thank you for your time and attention to this matter.

Sincerely,

Jason R. Parks and Hannah C. Parks

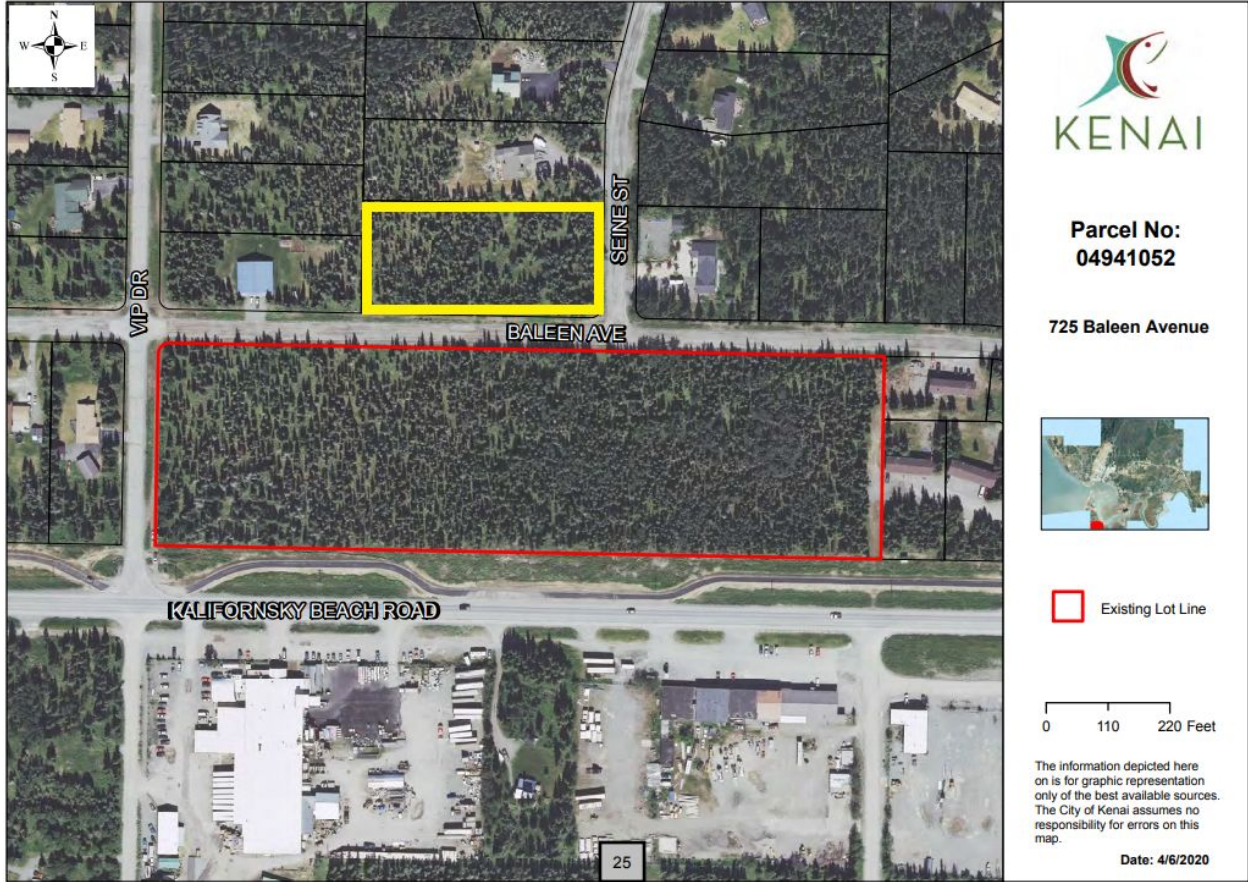


Image 1: Rezoning request lot in red. Our lot in yellow.



Image 2: our home on Baleen Avenue. The rezoning request lot is directly across the street.



### 14.22.010 Land use table.

#### LAND USE TABLE

KEY: P = Principal Permitted Use  
 C = Conditional Use  
 S = Secondary Use  
 N = Not Permitted

NOTE: Reference footnotes on following pages for additional restrictions

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
<b>RESIDENTIAL</b>																	
One-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	S <sup>2</sup>	S <sup>2</sup>	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Two-, Three-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	P	P	P	S <sup>1</sup> /C <sup>21</sup>
Four-Family Dwelling	N	C <sup>18</sup>	P	C <sup>3,29</sup>	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Five-, Six-Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Seven- or More Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	C <sup>3</sup>	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> /C <sup>21</sup>
Mobile Home Parks <sup>6</sup>	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C
Planned Unit Residential Development <sup>7</sup>	N	C <sup>18</sup>	C	C <sup>29</sup>	C	C	C	C	C	C	C	C	N	C	C	C	C
Townhouses <sup>4</sup>	N	C <sup>18</sup>	C <sup>3</sup>	C <sup>3,29</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C	C	C	C	C <sup>22</sup>	C	C	C	C
Accessory Building on Parcel Without Main Building or Use (See KMC <a href="#">14.20.200</a> )	N	N	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N
<b>COMMERCIAL</b>																	
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C
Adult Businesses	N	N	N	N	N	N	N	N	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	N	N	N	N	N

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Business/Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P
Marijuana Cultivation Facility, Limited <sup>30</sup>	N	N	C	C	C	C	C	C	N	C	C	C	N	N	N	C	N
Marijuana Cultivation Facility, Standard <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N
Marijuana Product Manufacturing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
Marijuana Testing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Retail Business	C	N <sup>26</sup>	C	N	C	N	N	C	P	P	P	P	S <sup>24</sup>	S <sup>24</sup>	C	C	P
Retail Marijuana Store <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S <sup>24</sup>	C	C	N
<b>INDUSTRIAL</b>																	
Airports	C	P <sup>20</sup>	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Gas Manufacturer/ Storage	C <sup>9</sup>	N	N	N	C	N	N	N	N	N	C <sup>9</sup>	C <sup>9</sup>	N	N	N	N	N
Manufacturing/ Fabricating/Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N
<b>PUBLIC/ INSTITUTIONAL</b>																	
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches*	N	C	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	C	C	P	P <sup>10</sup>	P	P	P
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P
Colleges*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Elementary Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Governmental Buildings	P	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	C	P	P
High Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P
Libraries*	N	C	C	C <sup>29</sup>	C	C	C	C <sup>12</sup>	P	P	P	C	P	C	P	C	P
Museums	C	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	P	C	P
Parks and Recreation	N	P	C	C <sup>29</sup>	C	C	C	C	P	P	P	P	P	P	P	C	P
<b>MISCELLANEOUS</b>																	
Animal Boarding/ Commercial Kennel <sup>13</sup>	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C
Assemblies <sup>15</sup> (Large: Circuses, Fairs, etc.)	P	C	C	N	C	C	C	C	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	C	P	N	P <sup>15</sup>
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Communications Towers and Antenna(s), Radio/TV Transmitters/ Cell Sites** <sup>28</sup>	C	P	C	N	C	C	C	C	P	P	P	P	P	C	C	C	C
Crematories/Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C
Day Care Centers <sup>12</sup>	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	C	C	C	P	P
Dormitories/Boarding Houses	N	C	C	N	C	C	C	P	p <sup>21</sup>	S	C	P	p <sup>23</sup>	C	C	C	P
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N
Fraternal Organizations/ Private Clubs/Social Halls and Union Halls	N	N	C	N	C	C	C	C	P	P	P	C	N	C	P	C	P
Greenhouses/Tree Nurseries <sup>13</sup>	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P
Parking, Public Lots <sup>12</sup>	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C
Personal Services <sup>25</sup>	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/ C <sup>27</sup>	P
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C
Subsurface Extraction of Natural Resources <sup>16</sup>	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N
Surface Extraction of Natural Resources <sup>17</sup>	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N

\* See 42 USCA Sec. 2000cc (Religious Land Use and Institutionalized Persons Act of 2000)

\*\* See 42 Telecommunications Act of 1996, Sec. 704(a)

\*\*\* See, however, the limitations imposed under KMC [3.10.070](#)

Footnotes:

- 1** Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.
- 2** One (1) single-family residence per parcel, which is part of the main building.
- 3** Allowed as a conditional use, subject to satisfying the following conditions:
  - a** The usable area per dwelling unit shall be the same as that required for dwelling units in the RS Zone;
  - b** The site square footage in area must be approved by the Commission;
  - c** Yards around the site, off-street parking, and other development requirements shall be the same as for principal uses in the RR Zone;
  - d** Water and sewer facilities shall meet the requirements of all applicable health regulations;
  - e** The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not adversely affect surrounding property values;
  - f** The buildings shall be used only for residential purposes and customary accessory uses, such as garages, storage spaces, and recreational and community activities;
  - g** There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
  - h** The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;
  - i** The property adjacent to the proposed dwelling group will not be adversely affected.
- 4** See "Townhouses" section.
- 5** See "Mobile Homes" section.
- 6** Allowed as a conditional use, subject to "Mobile Homes" section; and provided, that any mobile home park meets the minimum Federal Housing Authority requirements.
- 7** See "Planned Unit Residential Development" section.
- 8** Allowed as a conditional use; provided, that the proposed location and the characteristics of the site will not destroy the residential character of the neighborhood.
- 9** Allowed as a conditional use; provided, that all applicable safety and fire regulations are met.
- 10** Provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line.
- 11** Allowed as a conditional use; provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line; and provided further, that the proposed location and characteristics of the use will not adversely affect the commercial development of the zone.

- 12** Allowed as a conditional use; provided, that the following conditions are met:
- a** The proposed location of the use and the size and characteristics of the site will maximize its benefit to the public;
  - b** Exits and entrances and off-street parking for the use are located to prevent traffic hazards on public streets.
- 13** Allowed as a conditional use; provided, that setbacks, buffer strips, and other provisions are adequate to assure that the use will not be a nuisance to surrounding properties. The Commission shall specify the conditions necessary to fulfill this requirement. Animal boarding and commercial kennels require a kennel license (see KMC Chapter [3.15](#)).
- 14** Allowed as a conditional use; provided, that no indication of said use is evident from the exterior of the mortuary.
- 15** Allowed; provided, that the following conditions are met:
- a** An uncleared buffer strip of at least thirty (30) feet shall be provided between said use and any adjoining property in a residential zone.
  - b** Exits and entrances and off-street parking for the use shall be located to prevent traffic hazards on the public streets.
- 16** See “Conditional Uses” section.
- 17** See “Conditional Use Permit for Surface Extraction of Natural Resources” section.
- 18** **Conditional use allowed only on privately held property.** Not allowed on government lands.
- 19** Reserved.
- 20** The airport-related uses allowed under this entry are aircraft approach and departure zones pursuant to KMC [14.20.070\(a\)](#), except that for properties contained inside the airport perimeter fence or having access to aircraft movement areas, taxiways or parking aprons, FAA authorized uses are allowed.
- 21** Developments for use shall be the same as those listed in the Development Requirements Table for the RU/TSH Zones.
- 22** **Allowed as a conditional use in conjunction with a permitted use in the ED Zone.** For example, housing for teachers or students for a school in the zone.
- 23** **Allowed as an accessory use in conjunction with a permitted use in the ED Zone.** For example, a dormitory used to house students for a school or educational facility.
- 24** Retail businesses allowed as a secondary use in conjunction with the primary use (e.g., a gift shop or coffee shop within another business).
- 25** Art studios, barbers, beauticians, tattoo parlors, dressmakers, dry cleaners and self-service laundries, fitness centers, photographic studios, tailors, tanning salons and massage therapists.
- 26** Food services are allowed on a temporary or seasonal basis of not more than four (4) months per year.
- 27** Personal services not set forth in the below matrix are conditional uses.

Limited Commercial Zone		
Personal Services	Permitted (P)	Conditional Use (C)
Art Studios	X	
Barbers	X	
Beauticians	X	
Dressmakers	X	
Dry Cleaners		X
Fitness Centers	X	
Massage Therapist		X
Photographic Studios	X	
Self-Service Laundries		X
Tailors	X	
Tanning Salons	X	
Tattoo Parlors		X

**28** Communications tower/antenna(s) allowed as a principal permitted (P) use if the applicable conditions set forth in KMC [14.20.255](#) are met or a conditional use (C) if the applicable conditions set forth in KMC [14.20.150](#) and [14.20.255](#) are met.

**29 Use allowed only for those parcels that abut the Kenai Spur Highway.** The access to any such parcel must be either from: (a) driveway access on the Kenai Spur Highway; or (b) driveway access from a dedicated right-of-way and that driveway access is not more than two hundred seventy-five (275) feet as measured from the constructed centerline of the Kenai Spur Highway to the center of the driveway access as shown on an as-built drawing/survey of the parcel.

**30** See marijuana regulations, KMC [14.20.230](#)—Home Occupations, [14.20.320](#)—Definitions, [14.20.330](#)—Standards for commercial marijuana establishments.

**31** See KMC [14.20.175](#)—Adult businesses; no adult business may be located within one thousand (1,000) feet of another adult business, or sensitive use. “Sensitive use” means a church or other place of worship, a public or private school (licensed pre-K through twelfth grade) or businesses where or areas where youth are likely to be present (limited to public parks, youth recreational centers, public playgrounds, public libraries).

(Amended during 7-7-99 supplement; Ord. 1862-2000; Amended during 12-1-00 supplement; Ords. 1911-2001, 1938-2001, 1956-2002, 1962-2002, 1990-2003, 1994-2003, 2053-2004, 2081-2005, 2112-2005, 2113-2005, 2144-2006, 2152-2006, 2185-2006, 2195-2006, 2246-2007, 2272-2007, 2403-2009, 2425-2009, 2546-2011, 2610-2012, 2649-2012, 2688-2013, 2784-2014, 2870-2016, 2884-2016, 3025-2018, 3056-2019, 3083-2019 (Substitute))

**The Kenai Municipal Code is current through Ordinance 3102-2020, passed February 5, 2020.**

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

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