

Introduced by:	Martin
Substitute Introduced:	03/24/09
O2009-04 (Martin)	See Original for Prior History
Hearing:	03/24/09
Action:	Postponed as Amended Until 04/07/09
Action:	Enacted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2009-04  
(MARTIN) SUBSTITUTE**

**AN ORDINANCE AMENDING KPB CHAPTER 20.20, SUBDIVISION DESIGN  
REQUIREMENTS, TO REQUIRE A MINIMUM ACCESS WIDTH OF 20 FEET FOR  
FLAG LOTS AND AMENDING KPB CHAPTER 20.08 TO INCLUDE A DEFINITION  
FOR FLAG LOT**

**WHEREAS,** subdivisions have been approved containing “flag lots,” which are lots located behind other lots, with access to the dedicated street via a narrow strip of land or “pole” along the side of the front lot; and

**WHEREAS,** when the flag lot is large enough to be further subdivided, more than one property owner may ultimately use the “pole” for access, and the public’s interest is best served by requiring such poles or access portions to be at least 20 feet wide; and

**WHEREAS,** the best interests of the public would be served by regulating flag lots that can be further subdivided; and

**WHEREAS,** at its meeting of March 9, 2009, the Kenai Peninsula Borough Planning Commission recommended enactment of this substitute ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That KPB 20.08.063 is hereby enacted to read as follows:

**20.08.063. Flag Lot.**

“Flag lot” means a lot with two discernible portions, one a building site portion not fronting on or abutting a street and the second portion abutting on the street and providing private access to the building site portion.

**SECTION 2.** That KPB 20.20.180 is hereby amended as follows:

**20.20.180. Lots—Dimensions.**

- A. The size and shape of lots shall be such as to provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Lots shall not be less than 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the depth shall be no greater than 3 times the width.
- B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography.

**SECTION 3.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF APRIL, 2009.**

*Milli Martin*  
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 Milli Martin, Assembly President

ATTEST:

*Johni Blankenship*  
 \_\_\_\_\_  
 Johni Blankenship, Borough Clerk



Yes: Fischer, Long, Pierce, Smalley, Smith, Sprague, Superman, Martin  
 No: None  
 Absent: Knopp