



# Kodiak Island Borough Assembly Newsletter

Vol. FY2017, No. 10

October 7, 2016

At Its Regular Meeting Of October 6, 2016, The Kodiak Island Borough Assembly Took The Following Actions. The Next Regular Meeting Of The Borough Assembly Is Scheduled On Thursday, October 20, 2016, At 6:30 P.M. In The Borough Assembly Chambers.

**ADOPTED** Ordinance No. FY2017-17 Placing A Temporary Moratorium On The Enforcement Of Those Sections Of Title 17 (Zoning) Of The Borough Code That Prohibit The Keeping Of Chickens And Other Animals Useful To People In The Rr-Rural Residential, R1-Single-Family Residential, R2-Two-Family Residential, And R3-Multi-Family Residential Zoning Districts, And Initiating A Planning And Zoning Commission Review Of Title 17 (Zoning) Of The Borough Code To Consider Amendments That Will Allow Such Uses In Those Districts, And Directing Staff To Perform A Concurrent Review Of Chapter 6.04 (Animal Control) Of The Borough Code To Recommend Amendments That More Specifically Address The Control Of Chickens And Other Animals Useful To People.

**APPROVED** Contract No. FY2016-45A Amending Contract No. FY2016-45 Twin Creeks Fire Salvage Timber Sale Contract, Between A-1 Timber Consultants, Inc. And The Kodiak Island Borough, To Provide An Exception To Section 11 Timber Operations, Subsection "C", Slash Operations.

**ADOPTED** Resolution No. FY2017-02A Amending Resolution No. FY2017-02 Reestablishing The Fees For The Kodiak Island Borough.

**ADOPTED** Resolution No. FY2017-11 Authorizing An Amendment To The Borough's Participation Agreement With The Public Employees' Retirement System (PERS) Of Alaska To Exclude Seasonal Employees From Participation.

**POSTPONED** Resolution No. FY2017-13 Adopting A Capital Improvement Projects Priority List For The 2016-2017 State Legislative Session To The Next Regular Meeting Of The Assembly.

**ADVANCED** Ordinance No. FY2017-18 Rezoning Lot 13, Block 16, Tract A, Larsen Bay Subdivision From R1-Single-family Residential District To B-Business District (P&Z Case No. 16-038) To Public Hearing At The Next Regular Meeting Of The Assembly.

**ADVANCED** Ordinance No. FY2017-19 Amending The 2008 Comprehensive Plan By Changing The Future Land Use Designation Of Lot 4, Block 3, Port Lions Subdivision From Public Land To Residential (P&Z Case No. 16-039) To Public Hearing At The Next Regular Meeting Of The Assembly.

**ADVANCED** Ordinance No. FY2017-20 Rezoning Lot 4, Block 3, Port Lions Subdivision From PL-Public Use Lands District To R2-Two-Family Residential District (P&Z Case No. 16-040) To Public Hearing At The Next Regular Meeting Of The Assembly.



**REVERSED IN WHOLE** Board of Adjustment Appeal - Case No. 16-010. Request a Variance to construct a 67' tall telecommunications tower that exceeds the B-Business zoning 50' building height limit by 17' on Lot 3, Block 4, Airpark Subdivision (KIBC 17.195 and 17.90.040) (Appellant Mark Moderow, Senior Counsel Representing Alaska Wireless Network). **ADOPTED** Findings Of Fact For The Board Of Adjustment Appeal As Follows:

1. To eliminate coverage gaps, a telecommunications tower must be located within the radio frequency search ring.
2. The strict application of the B-Business zoning fifty (50) foot building height limit would prohibit AWN's ability to eliminate a service gap.
3. Construction of a tower on the subject property will enhance public health, safety, and welfare by improving cellular communications in the immediate vicinity.
4. Construction of a 67' tall tower would be consistent with permitted uses and infrastructure within the B-Business zone and thus would not result in material damage or prejudice to other properties in the vicinity.
5. This variance is consistent with various land use and economic goals in the 2008 Comprehensive Plan.
6. The special conditions from which relief is being sought are a matter of technological and geographic constraints. The applicant's request to construct a tower that exceeds the building height limit is an effort to overcome these conditions and provide better cellular service to the community of Kodiak.

**CONVENED** Into Executive Session To Discuss Matters Involving Negotiations With The IBEW, a subject matter which qualifies for executive session per KIBC 2.30.030(F.1.d) matters involving negotiations with labor organizations representing borough employees. **INVITED** the Borough Mayor, Assembly, Manager, Finance Director, and Clerk's Office Staff into executive session. No Action Was Taken As Result Of The Executive Session.

