

BUILDING / CONSTRUCTION PERMIT INFORMATION

This document was compiled by the Kenai Peninsula Borough (KPB) Planning Department to provide assistance to those with questions regarding zoning and development permits within the Kenai Peninsula Borough.

PLEASE NOTE: This listing is compiled of best available sources. KPB assumes no responsibility for errors or omissions on this information sheet. People are advised to contact the individual agencies and departments for current information on regulations and permits.

Below are examples of the various agencies, found on the following pages, that may have requirements based on the project.

- Plats and recorded documents should always be reviewed to determine easement locations and any restrictions.
- It is also advised to have property corners clearly marked prior to any development.
- If within city limits, contact their offices for proper zoning, restrictions, and required permits.

Following are some examples of the agencies you may need to contact for a project. These are starting points and additional agencies listed within this form may also need to be contacted as well as resources not included.

Constructing a single family home, multi-family building, or commercial structure: Based on the location and if this includes driveway installation as well as septic and utilities, all referenced resources within this document may need to be contacted.

Installing a new driveway: 3-5, 7, 8, 10, 12, 15-17, and 20

Questions on existing septic/well: 3, 11, and 16

Installation of new or replacement septic system: 3-5, 7, 8, 11, 16, 17, and 20

Placement of fill within existing driveway or to improve property landscape: 3-5, 7, 10, and 17

Removing materials that includes gravel for personal use: 3-5, 7-9, 16, 17, and 20

Removing materials that includes gravel for major projects, commercial use, to sell: 3-5, 7-9, 16, 17, and 20

Installing fishing platforms, fish cleaning tables, floating docks along or within a body of water: 3-5, 7, 8, 12, 13, 16, and 17

There is a tree with an eagle's nest in or near a preferred development location: 19

Wanting to develop property within 50 feet of the Ordinary High Water of a water body: 3-5, 7, 8, 12, 13, 16, and 17

Property is within the Kenai National Wildlife Refuge Boundary: 19

Property is not along a body of water or in a floodplain but does contain wetlands: 17

There are concerns of soil or ground water contamination: 3, 11, and 18

It appears neighbor has constructed or installed personal property over the property line: 3, 4, and 16. It is recommended to hire a surveyor to inspect and if there is a conflict, it is a civil matter to be handled.

1. Address requests and verifications

New lots and some vacant lots within the Kenai Peninsula Borough may not have E911 addresses assigned to the lot. If the lot is within one of the cities, please contact the city office for assistance in obtaining the address for the property. If the lot is outside of any of the incorporated cities, an address request may be made online at <https://www.kpb.us/planning-dept/911-street-naming/addressing-and-street-naming-home/e911-physical-address-request-form>. Additionally, if an address has been assigned to a property and a verification letter is needed, a request may be made by emailing addressing@kpb.us.

Please visit <https://www.kpb.us/planning-dept/911-street-naming/addressing-and-street-naming-home> to find answers to some common questions as well as information regarding address signs, street naming methods, how to rename a street, and additional street naming and addressing issues.

2. Building Codes

The KPB does not have any specific structure building codes within the code nor does the KPB have a building inspector. The cities located within the KPB may have adopted specific structure building codes. For any areas without specific construction requirements the International Building Code (IBC) or International Residential Code (IRC) should be reviewed and building practices followed. Note that the Alaska of Public Safety should be contacted for building requirements for commercial or multi-family dwellings. Using the requirements as outlined in the IBC or IRC will help provide security on the soundness and stability of the structure and also help secure financing or selling of properties. Information regarding the IBC and IRC may be found at <https://www.iccsafe.org/>.

The Federal Emergency Management Agency (FEMA) also has building recommendations to assist in building structures in areas prone to earthquakes, hurricanes, and other hazard areas. <https://www.fema.gov/>.

3. City Limits

If within an incorporated city, the city may have their own building permits and setback requirements. Contact the individual city for additional information.

City of Homer – <https://www.cityofhomer-ak.gov/>

Kachemak City - <https://www.kachemak.city/>

City of Kenai - <https://www.kenai.city/>

City of Seldovia - <https://cityofseldovia.com/>

City of Seward - <https://www.cityofseward.us/>

City of Soldotna - <https://www.soldotna.org/>

4. Easements, Covenants, Restrictions

Easements or restrictions may be shown or listed on a subdivision plat for a subdivided property. There may be additional easements and restrictions on the property. These should be on file with the appropriate recording district and can be researched online. Additionally, a title company should also be able to assist in compiling a complete record of the property with all documents recorded against the property to show any easements or restrictions. For properties that have not been part of a formal subdivision plat, a search

with the appropriate recording district will be the only method to determine if there are any easements or restrictions on file.

Additionally, there may be covenants on file for the property or subdivision the property is within. The covenants should be on file with the appropriate recording office. The KPB does not enforce private covenants or deed restrictions. Any enforcement or violations are a civil matter.

Searches through State of Alaska Department of Natural Resources, Recorder's Office may be done at <https://dnr.alaska.gov/ssd/recoff/search>. KPB does keep a database of subdivision plats that may be searched at <https://www.kpb.us/planning-dept/platting/subdivision-plats>.

5. Kenai Peninsula Borough Anadromous Waters Habitat Protection District (HPD) (KPB 21.18)

The KPB adopted the HPD regulations to protect and preserve the valuable and vulnerable salmon spawning and rearing habitat, provide a guide for growth and development along anadromous waters, and protect and enhance properties. The regulations apply to over 700 anadromous water bodies within the KPB including anadromous streams on the west side of Cook Inlet.

The KPB assists landowners in identifying potential problems and solutions along their waterfront properties. Common problems include bank trampling, loss of vegetation, bank erosion, and access issues. Projects within 50 feet of Ordinary High Water (OHW) or Mean High Water (MHW) will require a staff permit or a Conditional Use Permit (CUP) that is issued by the KPB Planning Commission. The type of permit is subjective to the type of project and restrictions found within KPB 21.18. Staff is available for site visits to discuss projects and help determine the 50-foot setback from OHW/MHW.

Vegetation is important in keeping banks stable. Removal of vegetation within the HPD will require a staff permit that describes the specific requirements for disposal but also for replanting to protect against erosion.

Permit information is available from the Donald E. Gilman River Center, 514 Funny River Road, Soldotna, AK 99669, (907) 714-2460. Addition information is at: <http://www.kpb.us/river-center/agencies/kpb-habitat-protection>.

6. Kenai Peninsula Borough Coastal Management Program

A website describing the Kenai Peninsula Borough Coastal Management Program and enforceable policies may be viewed at: <http://www.kpb.us/river-center/agencies/kpb-coastal-program>.

The Kenai Peninsula Borough Coastal District includes all lands below 1,000 feet in elevation and all coastal waters seaward to the 3-mile limit of state jurisdiction. A coastal consistency review is required if an activity requires an authorization from one or more state resource agency or a federal authorization.

Assistance in determining whether your project requires a coastal consistency review is available from the Donald E. Gilman River Center (907) 714-2460 and the Alaska Division of Governmental Coordination, Anchorage, Alaska (907) 269-7470.

7. Kenai Peninsula Borough Floodplain Development Permits (KPB 21.06)

A KPB Floodplain Development Permit is required before construction or development of any kind begins, within designated floodplain areas. KPB enforces KPB code and FEMA regulations for development within a regulatory floodplain. Floodplain information is available at the Donald E. Gilman River Center, 514 Funny

River Road, Soldotna, AK 99669, (907) 714-2460.

The following web site contains additional floodplain information: <http://www.kpb.us/river-center/resources/flood-information>.

If unsure if a property is within a regulatory floodplain, a floodplain determination can be requested at <https://www.kpb.us/river-center/agencies/kpb-floodplain-management/floodplain-determination-request>

The cities of Homer, Kenai, and Seward have enacted their own floodplain management code and need to be contacted directly for special development standards.

KPB mapped additional areas known as the Seward Mapped Flood Data Area (SMFDA) that are within the boundary of the KPB Seward Bear Creek Flood Service Area. Floodplain permits are required within the SMFDA and KPB 21.06 addresses development requirements for those areas even if they are outside the FEMA mapped floodplain.

8. Kenai Peninsula Borough Local Option Zoning Districts (KPB 21.44)

Local Option Zoning Districts are lands or subdivisions that have KPB adopted greater restrictions. Lands and subdivisions within local option zoning districts may be subject to permit requirements and building restrictions. Please consult the KPB Planning Department to see if there are any newly approved zoning districts not listed below. Please consult the KPB Code of Ordinances for a complete description of each zoning district, of the building requirements, and development standards that pertain to each district. Maps, Standards, and Allowed Uses of all Local Option Zoning Districts can be found online at <http://www.kpb.us/planning-dept/local-option-zoning>

KPB 21.44.160 – Single-family Residential District (R-1)

1. Anchors Aweigh North Subdivision
2. Bings Landing
3. C & H Estates
4. College Heights
5. Correia
6. Diamond Willow – Fairfield
7. Diamond Willow – Ravenwood
8. Funny River Grove
9. Grande View Heights One
10. Kalifornsky Center
11. Murwood South
12. North Fork One
13. Ten Mar Ranch
14. Widgeon Woods

KPB 21.44.170 – Rural Residential District (R-R)

1. Birch and Grouse Ridge
2. Russian Gap

KPB 21.44.180 – Multi-family District (R-M)

1. Discovery Park
2. Percy Hope

KPB 21.44.175 –Waterfront Residential (R-W)

1. Keystone Estates
2. Stephenie Alaska Sub Block 8

9. Kenai Peninsula Borough Material Site Permits (KPB 21.29)

Prior to extraction of materials, property owners should contact the KPB to determine if the extraction requires a permit. Counter permits may be issued by the Planning Director. Activity requiring a Conditional Land Use Permit (CLUP) go before the KPB Planning Commission for approval. Contact the KPB Planner at Donald E. Gilman River Center, 514 Funny River Road, Soldotna, AK 99669, (907) 714-2460. Additional information may be found at <http://www.kpb.us/planning-dept/material-site-information>.

10. Kenai Peninsula Borough Street and Driveway Construction (KPB 14)

A permit is required to construct a road, driveway or any other miscellaneous work performed within a dedicated right-of-way. If within an incorporated city, contact their offices for information regarding permits and requirements. For activity associated with a State right-of-way, contact State of Alaska DOT with the information provided within their section of this document.

The Kenai Peninsula Borough Road Service Area issues permits for KPB rights-of-way. The office is located at 47140 East Poppy Lane, Soldotna, Alaska, 99669. The phone number is (907) 262-4427 and the email for their office is roads@kpb.us. A copy of the Right-of-Way Construction Permit and additional information is available at <http://www.kpb.us/rds-service-area/about-rds>.

11. State of Alaska, Department of Environmental Conservation

The Alaska Department of Environmental Conservation (ADEC) provides and enforces standards for water quality and waste disposal. For information specific to domestic water wells and septic systems, contact the local ADEC office at the Copper Center, 43335 Kalifornsky Beach Road, Suite 11, Soldotna AK 99669, phone (907) 262-5210.

ADEC has a web site with links to information for septic systems, water wells, solid waste, etc.: <https://dec.alaska.gov/>

As an additional resource in determining the type of wastewater system required, the KPB requires soils reports for certain subdivision plats. These plans include the types of soils found but also what type of wastewater system may be required. The only permits required by KPB for installation of wastewater systems is if it falls within a KPB regulatory jurisdiction. Soils reports, if on file with KPB, may be found at <https://www.kpb.us/planning-dept/platting/soil-reports>.

12. State of Alaska, Department of Fish & Game

The Habitat Section is a unit of the Alaska Department of Fish & Game. They are responsible for fish habitat permitting, Forest Resources & Practices Act Review, and Special Area Permitting. Contact information: Donald E. Gilman River Center, 514 Funny River Road, Soldotna, Alaska 99669, (907) 714-2460. Additional information is at: <http://www.kpb.us/river-center>.

13. State of Alaska, Department of Natural Resources

The Division of Parks & Outdoor Recreation is a unit of the Department of Natural Resources. They are responsible for Special Use permits that pertain to State Park Land & Water. They also oversee The Kenai River Special Management Area (KRSMA). Additional information regarding KRSMA may be found at

<http://https://dnr.alaska.gov/parks/krasma/krsmaindex.htm> Contact information: phone 907-262-5581 or by email specialusepermits@alaska.gov

14. State of Alaska, Department of Public Safety

A State building permit is required for all commercial buildings and all residential structures containing four or more dwelling units. This permit is required at any location in the State. The State Fire Marshal issues permits after appropriate plans and specifications are submitted and approved. Information and applications are available at State Fire Marshal, 5700 East Tudor Road, Anchorage, Alaska 99507. <https://dps.alaska.gov/Fire/Home> or by phone at (907) 269-5511 or 907-269-5491.

EXCEPTION: The following jurisdictions have accepted a deferral for total code enforcement and plans should be submitted directly to the city: City of Kenai, City of Soldotna, and City of Seward.

15. State of Alaska, Department of Transportation and Public Facilities

If needing to perform work adjacent or within a state right-of-way or need to develop a driveway access from a state right-of-way, the State of Alaska DOT may require a permit or have specific requirements. Permits and requirement information may be found at <http://www.dot.state.ak.us/permits/index.shtml>. The Kenai Peninsula District may be reached at (907) 262-2199 or contact the Central Region office at 4111 Aviation Avenue, PO Box 196900, Anchorage, AK 99519-6900 or by phone at (800) 770-5263.

16. Subdivision Plats

Prior to development on any lot within a subdivision, the recorded plat should be checked for notes applicable to development and use of the property. A plat recorded after May 7, 1968 is subject to a minimum 20-foot building setback along rights-of-way however some property owners elected to have a larger building setback. All plats should be checked for a specific setback.

Subdivision plats may also indicate by depiction or note the existence of additional easements or restrictions.

17. U.S. Army Corps of Engineers (Corps)

Any person, firm, or agency (including Federal, State, and Local Government agencies) planning to work in navigable waters of the United States, and/or discharge (dump, place, deposit) dredged or fill material in waters of the United States, including wetlands, must first obtain a permit from the Corps. The Corps is responsible for determining whether an area is a jurisdictional water of the U.S. In addition to evaluating permit applications, the Corps also investigates and resolves violations for situations where a permit was not obtained. The Regulatory Request System web site is: rrs.usace.army.mil

Projects near the Seward Highway corridor (Hope, Summit Lake, Moose Pass Seward, etc.)

Contact: mail - Department of the Army, U.S. Army Engineer District, Alaska Regulatory Division, P.O. Box 6898, Elmendorf AFB, Alaska 99506, phone - toll free at 1-800-478-2712.

Projects near the Sterling Highway corridor (Cooper Landing, Sterling, Soldotna, Kenai, Clam Gulch, Homer, etc.) and south of Kachemak Bay (Halibut Cove, Seldovia, Port Graham, etc.), contact the Corps Kenai Field Office by mail at 44669 Sterling Highway, Suite B, Soldotna, AK 99669 or by phone at (907) 753-2689.

The Kenai Field Office may be contacted with questions or concerns. Call (907) 753-2689 or email cepoa-rd-kenai@usace.army.mil for questions or scheduling of appointment.

18. U.S. Environmental Protection Agency

The Environmental Protection Agency provides financial and technical assistance to local, state and tribal

governments interested in developing aquatic resource protection plans. Aquatic resources include wetlands, rivers, lakes, ponds, marine waters, and all other waters of the United States.

EPA assists the Corps in Clean Water Act enforcement by pursuing cases that involve repeat and recalcitrant violators. Waste water violations and other programs are pursued out of the Anchorage and Seattle offices.

U.S. Environmental Protection Agency, Region 10, Alaska Operations Office, 222 West Seventh Avenue, #19, Anchorage, AK 99513-7588 or (907)271-5083. Additional information is available at:

<https://www.epa.gov/aboutepa/epa-alaska>

U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle WA 98101 or 1-800-424-4372 or (206) 553-1200. Additional information is available at:

<https://www.epa.gov/aboutepa/epa-region-10-pacific-northwest>

19. U.S. Fish and Wildlife Service

The Fish and Wildlife Service administers the 1.92 million-acre Kenai National Wildlife Refuge, located on the Kenai Peninsula. The Refuge includes non-development conservation easements on private lands within the Moose Range Meadows Subdivision on either shore of the Kenai River between river miles 25.1 and 28.1, and special use permits are required for placement of any structure within the easements. The Refuge should be contacted by owners of private inholdings with the Refuge and for permitting of docks structures on Skilak Lake and Tustumena Lake. Contact: 3398 Ski Hill Road, Soldotna, Alaska 99669, phone (907) 262-7021 or by email at kenai@fws.gov

Bald eagles, their eggs, and their nests are protected throughout the United States by the Bald and Golden Eagle Protection Act, and by the Migratory Bird Treaty Act. Eagles are sensitive to habitat alterations. U.S. Fish and Wildlife Service had guidelines to minimize impacts to bald eagles. The National Bald Eagle Management Guidelines can be downloaded at: <https://www.fws.gov/media/national-bald-eagle-management-guidelines> Additional information may be found at <https://www.fws.gov/program/eagle-management> or 3398 Ski Hill Road, Soldotna, Alaska 99669, phone (907) 262-7021 or by email at kenai@fws.gov for additional guidance.

20. Utilities

Questions or concerns regarding the location of utilities or the installation of utilities should be directed to the local utility providers. It is important to know where utilities are located prior to digging. Call 8-1-1 or find more information at <https://www.811ak.com/>. Some of the cities within the borough have their own utility services and may require additional coordination for services.

Phone/Internet Services:

Alaska Communications <https://www.alaskacommunications.com>

GCI <https://gci.com/>

TelAlaska <https://telalaska.com/>

MTA <https://www.mtasolutions.com/>

Electric:

Homer Electric Association <https://www.homerelectric.com/>

Chugach Electric <https://www.chugachelectric.com/>

Natural Gas:

ENSTAR Natural Gas Company <https://www.enstarnaturalgas.com/>