Kenai Peninsula Borough
Assembly

MEMORANDUM

TO: Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Richard Derkevorkian, Assembly Member

DATE: April 6, 2023

SUBJECT: **Derkevorkian #15** Amending Ordinance 2022-36, Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Conditional Land Use Permits and Material Site Permits, Updating Notice, Applicability, Permit Types, Application Requirements, Standards and Permits Conditions (Johnson, Chesley)

[Please note the bold underlined language is new and the strikeout language in brackets is to be deleted.]

➢ Amend KPB 21.25.060(B)(3) as follows:

21.25.060. Notice.

A. Except for counter permits for material sites issued under KPB 21.29.020(A) or expressly excepted elsewhere in this title, notice of any pending application required under this title shall be given in accordance with this section.

B. Required forms of notice are as follows:

1. Notice of the pending application will be published on the borough website.

2. When available, the notice will also be posted on a public bulletin of the impacted community.

3. At the beginning of the notice period a copy of the notice will be sent by First Class U.S. Mail to all owners and[/or] leaseholders of record of property located with**in** a radius of one-half mile of the subject property, **except for permit applications under KPB 21.29 the notice area is the parcels within a radius of 1000 feet of the subject property**.

C. The notice must contain a description of the proposed location, the type of proposed land use or a description of the action requested, as applicable, the applicant's name, where written comments may be submitted, the last deadline for submitting written comments to the planning commission, and the date, time and location of the public hearing.

D. The failure of any person to receive any notice required under this section, where the records of the borough indicate the notice was provided in a timely and proper manner, shall not affect the validity of any proceeding under this title or be basis for appeal.

Your consideration is appreciated.