

Kenai Peninsula Borough Assembly

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Richard Derkevorkian, Assembly member

DATE: April 18, 2023

SUBJECT: **LAYDOWN Derkevorkian Substitute Amendment #12** 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 21.29.115, as follows:

21.29.115. Permit transfers.

A permit issued under this chapter is transferrable.

~~Permits issued under this chapter do not automatically transfer upon a conveyance or transfer of the applicable real property.~~ A permit issued under this chapter is transferrable. The planning director will issue a conditional letter of approval ~~[or disapproval]~~ upon receipt of ~~[the following: (1) a written permit transfer request is provided to the planning department]~~ that includes: the legal description of the parcel, former owner name, new owner name, and a copy of the approved permit or the legal PEU status;] a written permit transfer request containing the legal description of the parcel, former owner name, new owner name, and a copy of the approved permit or the legal PEU status and after a site visit. A conditional approval will not be issued if a permittee is in violation of the original permit requirements, conditions, or borough code. A transferring permittee will be given ninety days to correct violations. If the permittee fails to correct the violations within ninety days, the planning director will issue a denial letter. If a permittee is not in violation or if violations are cured within 90 days' notice, the planning director will issue a final letter of approval upon receipt of ~~and (2)~~ a recorded conveyance instrument listing the new owner. The requesting party may appeal a denial letter to the planning commission. Permit transfer approvals are not subject to administrative appeal.

Your consideration is appreciated.