

E. NEW BUSINESS

3. Conditional Use Permit; PC Resolution 2025-19

Applicant: KNC Golf Inc.

Request: For the Kenai Golf Course to replace a bridge over an anadromous stream

Location: 1500 Lawton Drive / PIN 04938216

City of Kenai

**Multi-Agency Permit Application
Kenai Peninsula Borough
River Center**

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

| |
|---|
| Fees Received: \$ <u>300.00</u> |
| <input type="checkbox"/> Cash |
| <input checked="" type="checkbox"/> Check # <u>1180</u> |
| CREDIT CARDS NOT ACCEPTED FOR APPLN FEES |

PROPERTY OWNER:

Name: City of Kenai
Mailing: 201 Fidalgo Ave
Kenai, AK 99611
Phone: (907) 283-8235
Email: planning@kenai.city

AGENT: (if applicable)

Name: KNC Golf Inc.
Mailing: 275 S. Kobuk St.
Soldotna, AK 99669
Phone: (907) 953-9010
Email: Bill@coghillgroup.com

*contractor:
Steam on
wheels
Mark Rozak
(907) 252-2335*

PROJECT LOCATION:

KPB Parcel ID: 04938216
Physical Address: 1500 Lawton Dr. 99611
Subdivision: Five Irons Heights
Lot: _____ Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: unnamed tributary to the lower Kenai
River Mile: 1
Riverbank: ☒ Left ☒ Right (looking downstream)

PERMIT FEES:

☐ \$50 - Staff Permit **OR** ☒ \$300 - Conditional Use or Floodway Analysis

PROJECT:

☒ New Project **OR** ☐ Extension/Amendment to RC# _____

Please select all activities that apply to your project:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Fish & Wildlife Management | <input type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input type="checkbox"/> Structure (Accessory) |
| <input checked="" type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input checked="" type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat |
| <input checked="" type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation | <input type="checkbox"/> Vegetation Removal |
| <input type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input type="checkbox"/> Water Withdrawal |
| | | Other: _____ |

PROJECT DESCRIPTION: Provide a detailed description of your project, attach additional pages if necessary.

SEE ATTACHED PROJECT DESCRIPTION

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? ☒ Yes ☐ No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

| | | | |
|---------------------------------------|------------------|----------------------|----------|
| Elevated Light-Penetrating Structures | \$ _____ | Other Activities | \$ _____ |
| Habitat Restoration & Protection | \$ <u>40,000</u> | Green Infrastructure | \$ _____ |

PROJECT QUESTIONS:

1. Start date: ASAP End date: 11/1/2025 Estimated Days of Construction: 14
2. Is any portion of the work already complete? If yes, please describe: There is an existing bridge that will need to be removed. See pictures. ☐ Yes ☒ No
3. Is your project located on land or waters of an Alaska State Park? ☐ Yes ☒ No

If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? ☒ Yes ☐ No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? ☐ Yes ☒ No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? ☒ Yes ☐ No
7. Will anything be placed below OHW or MHW of the waterbody? ☐ Yes ☒ No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain?
- a. Is this project within or adjacent to a regulatory floodway? ☐ Yes ☒ No
- b. Is this project within or adjacent to a coastal high hazard zone? ☐ Yes ☒ No
- c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ 40,000

Excavation, Dredging, and Fill:

9. Will material be excavated or dredged from the site? ☐ Yes ☒ No
- a. Type of material(s): _____
- b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Location materials will be deposited: _____
10. Will any material (including soils, debris, and/or overburden) be used as fill? ☒ Yes ☐ No
- a. Type of material(s): Techno-post
- b. Is this fill permanent or temporary? ☒ Permanent ☐ Temporary
- c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: ☒ Yes ☐ No
Excavator & tracked skid steer
- a. Will you be crossing a stream or waterbody? ☒ Yes ☐ No
- b. How long will equipment be used below OHW or MHW? None

SIGNATURE & CERTIFICATION:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

2h
Owner Signature (required)

8/14/2025
Date

Hughes
Agent Signature (if applicable)

8/14/2025
Date

Kenai Golf Course – Hole #1 Bridge Replacement Project

Multi-Agency Permit Application – Project Description

Date: August 13, 2025

This project will replace the existing wooden bridge on Hole #1 at the Kenai Golf Course, originally constructed in the mid-1980s. The current bridge has deteriorated extensively due to rot and is no longer structurally sound, creating safety hazards and environmental concerns.

The replacement will be a steel rail flat bridge span designed for durability, low maintenance, and harmony with the surrounding environment. The new bridge will measure approximately 20 feet in length and 8 feet in width, a reduction from the original 24-foot width. This narrower design will lessen the structure's footprint on the creek, allowing natural vegetation to reestablish along the banks and reducing habitat disturbance.

Design & Construction Details

- **Structure Type:** Prefabricated metal truss rail flat bridge with corrosion-resistant coatings.
- **Foundation:** 4 driven Techno Piles, 5.5" diameter.
- **Load Capacity:** Designed for golf carts, small utility vehicles, and pedestrian traffic, with a minimum load rating of 10,000 lbs.
- **Decking:** Slip-resistant, weatherproof composite for safety and long service life.
- **Bump Rails:** Integrated steel bump rails for safety and compliance with accessibility guidelines.
- **Environmental Considerations:** Creek bank protection, native vegetation restoration, and erosion control measures during and after construction.

Volume & Materials

- **Techno Piles:** 4 units, 5.5" diameter, driven.
- **Steel:** One 20' x 8' rail flat bridge, approximately 5,000 lbs of structural steel for frame and guardrails.
- **Fill Material:** Minimal gravel fill required, limited to approach grading.

Timeline

- **Design Finalization & Permitting:** 2 months
- **Site Preparation & Demolition:** 2 weeks
- **Foundation Installation:** 1 week
- **Bridge Installation:** 1 week
- **Habitat Restoration & Final Grading:** 2 weeks
- **Total Duration:** Approximately 3.5 months from start to completion, depending on weather and permitting timelines.

The completed project will provide a safe, long-lasting, and environmentally sensitive crossing that supports the golf course's operational needs while enhancing creek health and surrounding habitat.

Project Drawings: Side View

Drawings do not have to be to scale, but must show the following:

- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for all structures
- 50-foot Habitat Protection District
- Length, width, height

SEE ATTACHED

Project Drawings: Top View

Drawings do not have to be to scale, but **must** show the following:

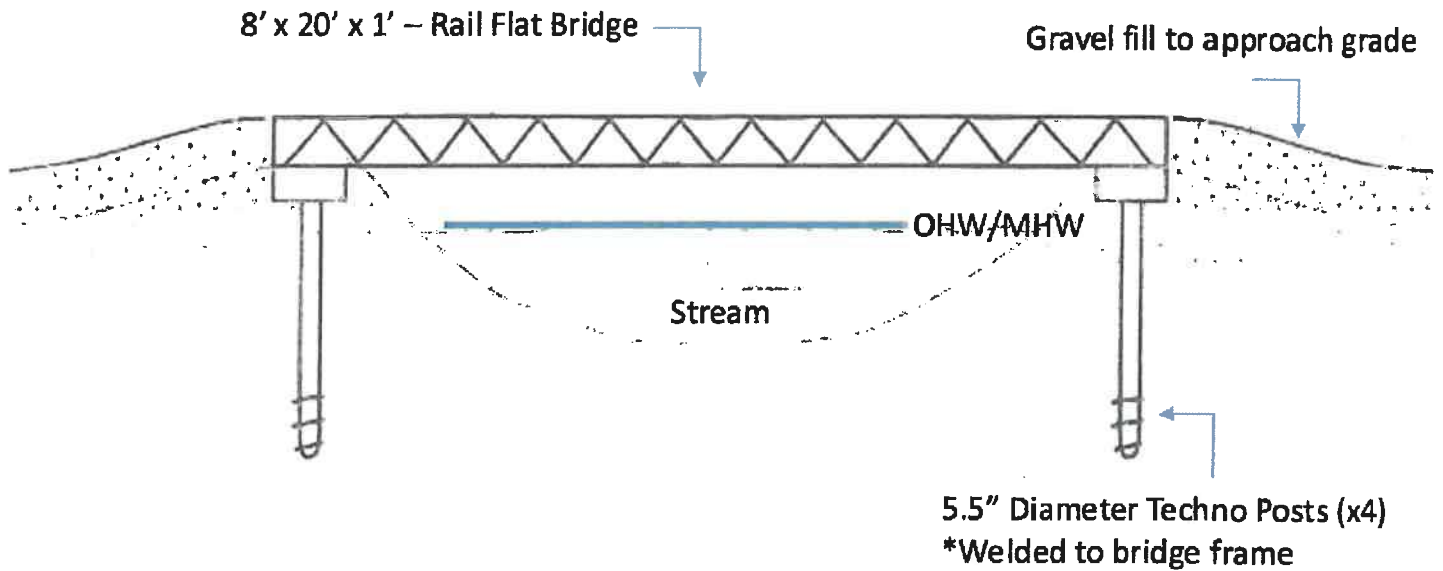
- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for all structures
- 50-foot Habitat Protection District
- Length, width, height



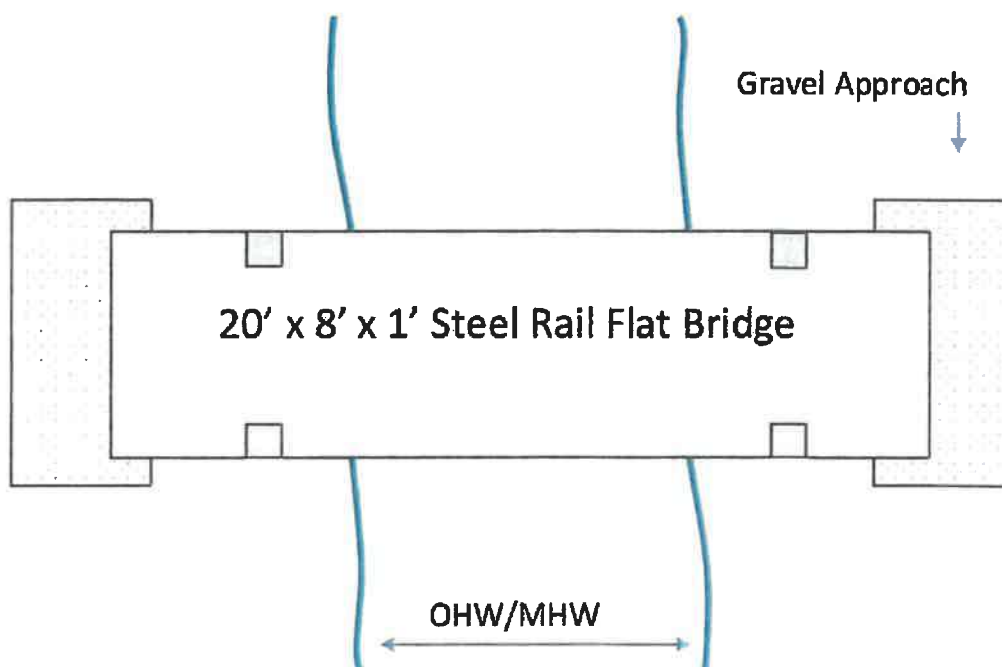
North

SEE ATTACHED

Kenai Golf Course – Hole #1 Bridge Replacement PROJECT DRAWING – SIDE VIEW

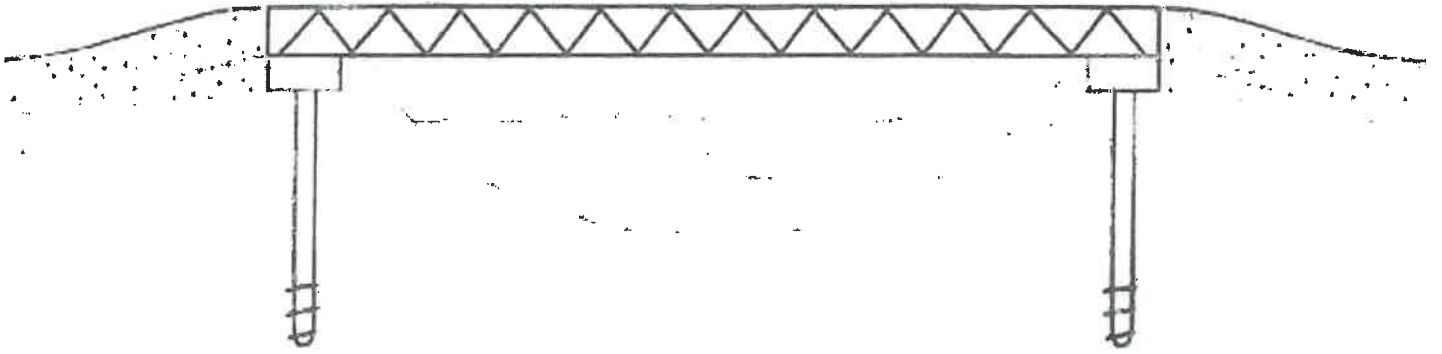


Kenai Golf Course – Hole #1 Bridge Replacement PROJECT DRAWING – TOP VIEW



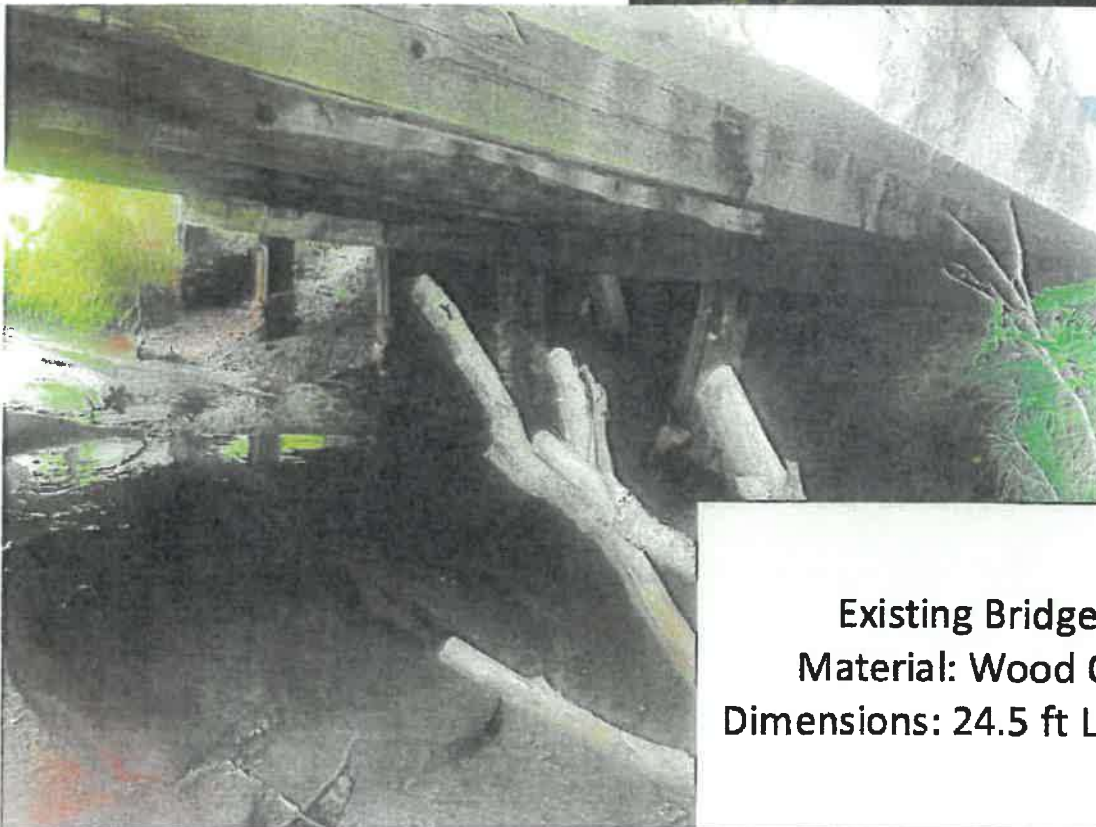
Kenai Golf Course – Hole #1 Bridge Replacement

Artistic 3D Rendering of New Bridge



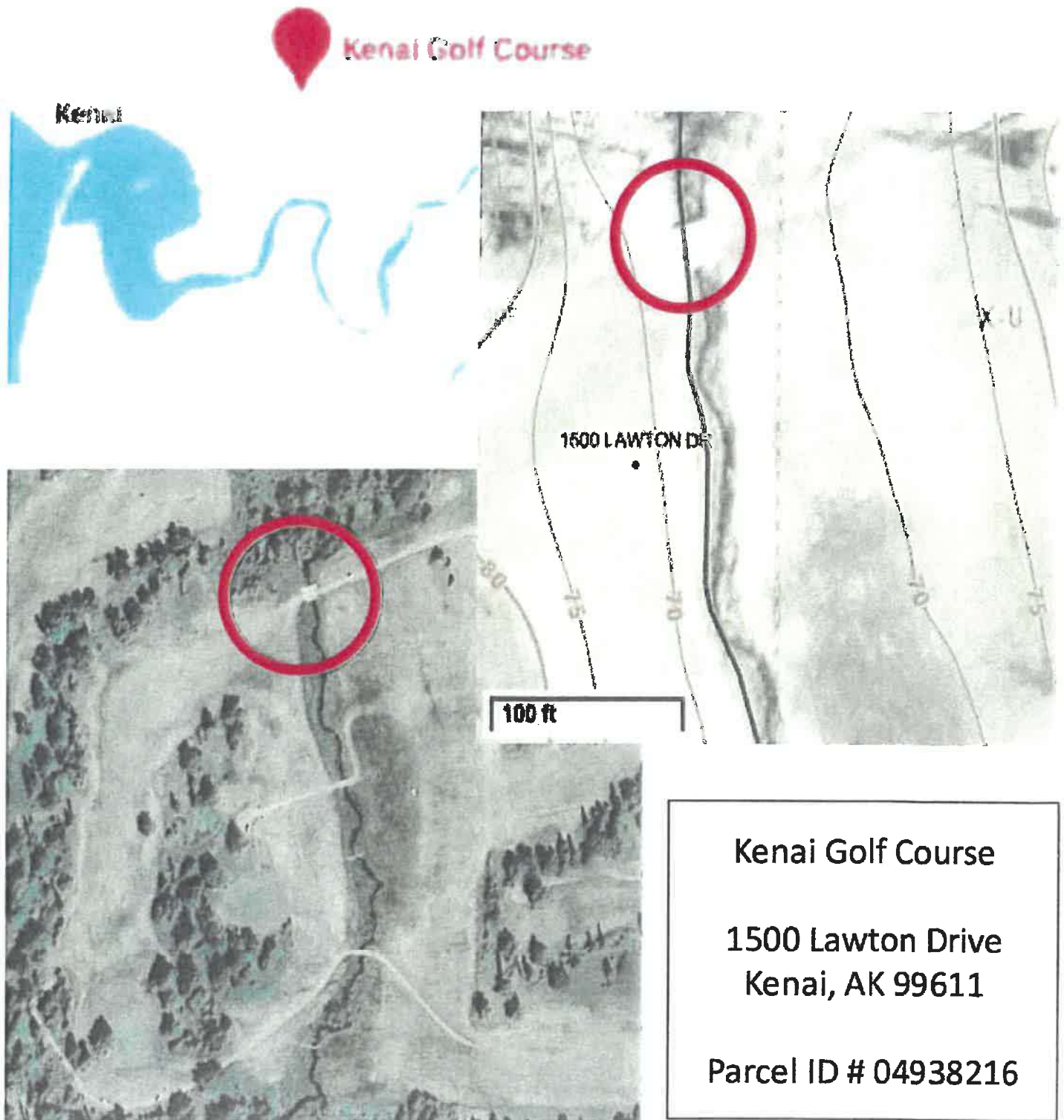
Kenai Golf Course – Hole #1 Bridge Replacement

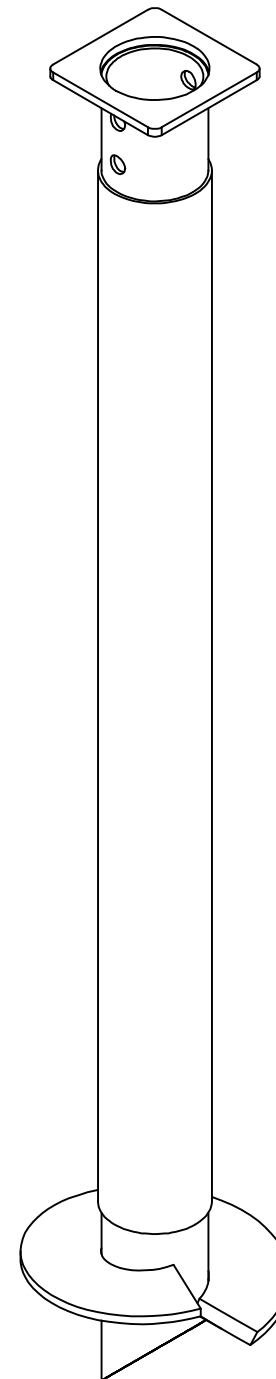
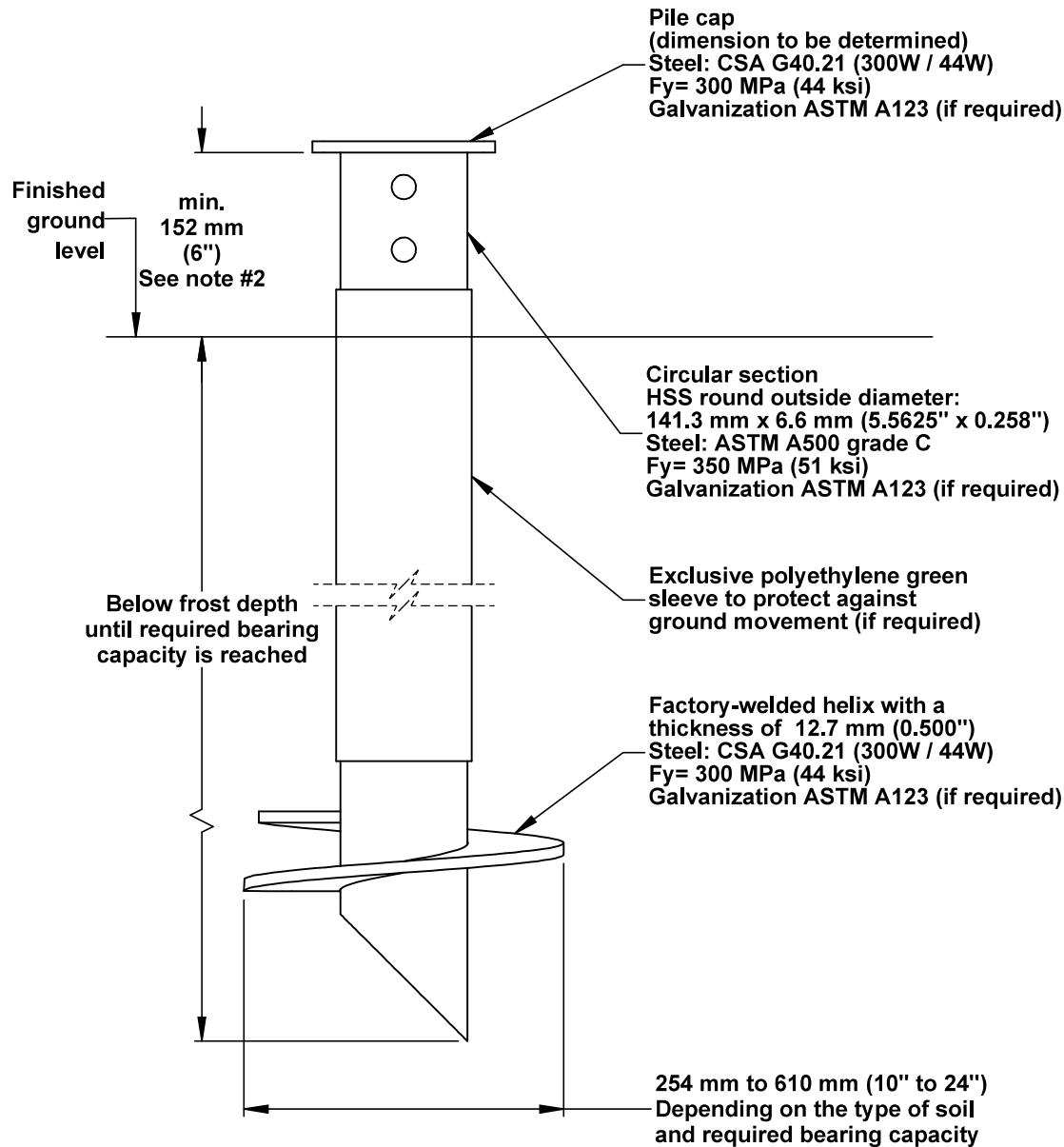
EXISTING BRIDGE STRUCTURE



Existing Bridge Structure
Material: Wood Construction
Dimensions: 24.5 ft Long x 16 ft Wide

Kenai Golf Course – Hole #1 Bridge Replacement PROJECT LOCATION





CONFIDENTIAL

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REVISIONS

| DATE | DESCRIPTION | REV. |
|------------|------------------------|------|
| 2013/06/27 | Revised load capacity | 1 |
| 2023/08/22 | Revised entire drawing | 2 |
| | | |
| | | |
| | | |

Client :

**NOT FOR
CONSTRUCTION**

Client adress :

Project :

Drawing :

**Techno Metal Post
single helix model P5**

Approved by :

Date :

2024-07-24

Scale :

N/A

Drawing number:

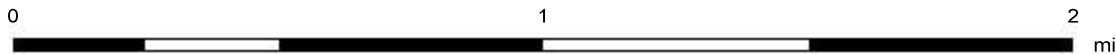
P5-REV2

Page number :

SHEET 1 OF 1

NOTES:

1. The designer must refer to the Techno Metal Post selection table regarding the bearing capacity of the piles.
2. The minimum height shown on the plan is appropriate for aboveground applications only.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Kenai Golf Course Bridge Replacement

 **Project Area**

KPB Parcel(s):
04938216

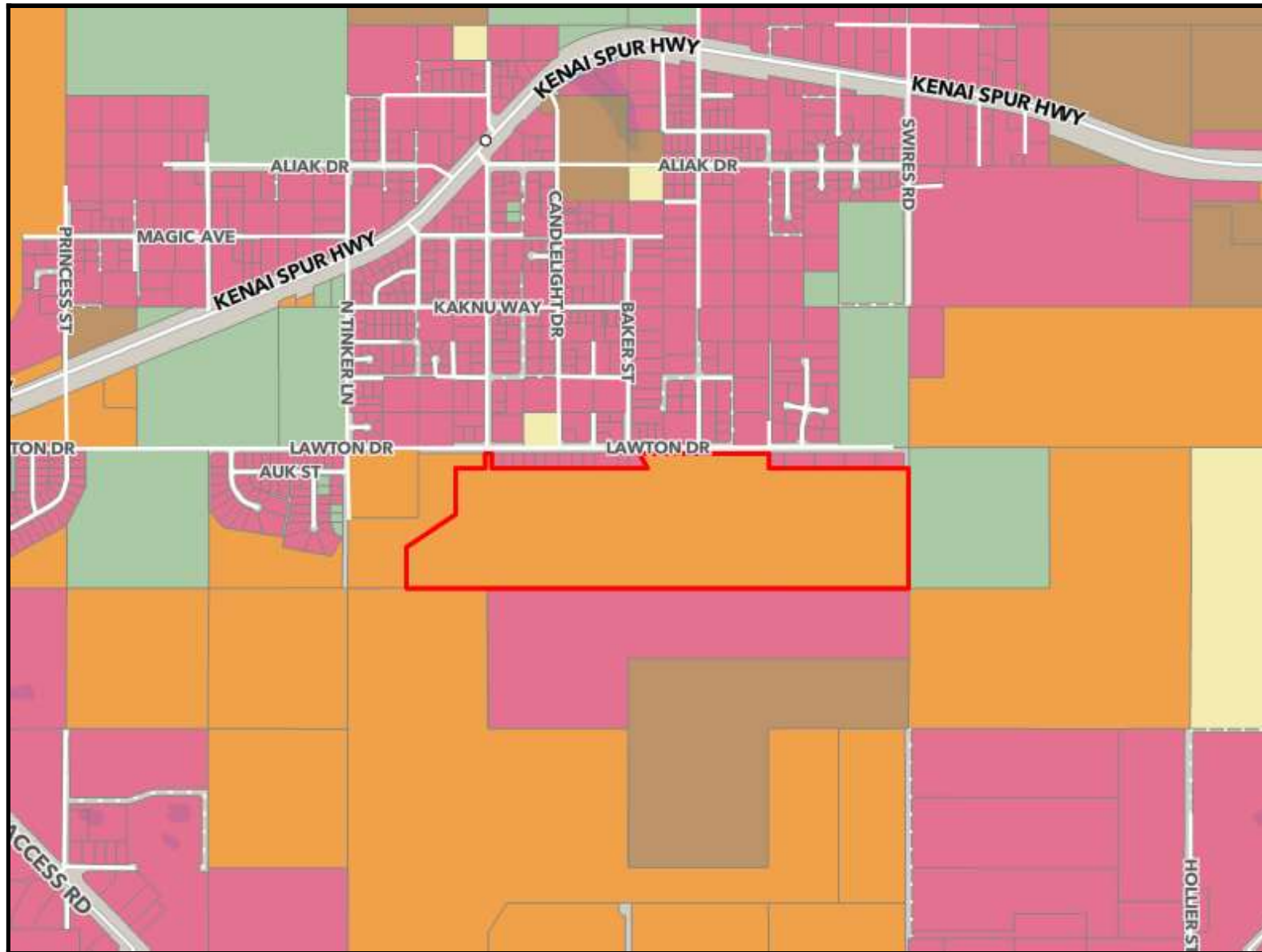
Project Description:

Vicinity: Kenai



Map created by Aldridge, Morgan
Thursday, August 14, 2025





Project Area

KPB Parcel(s):

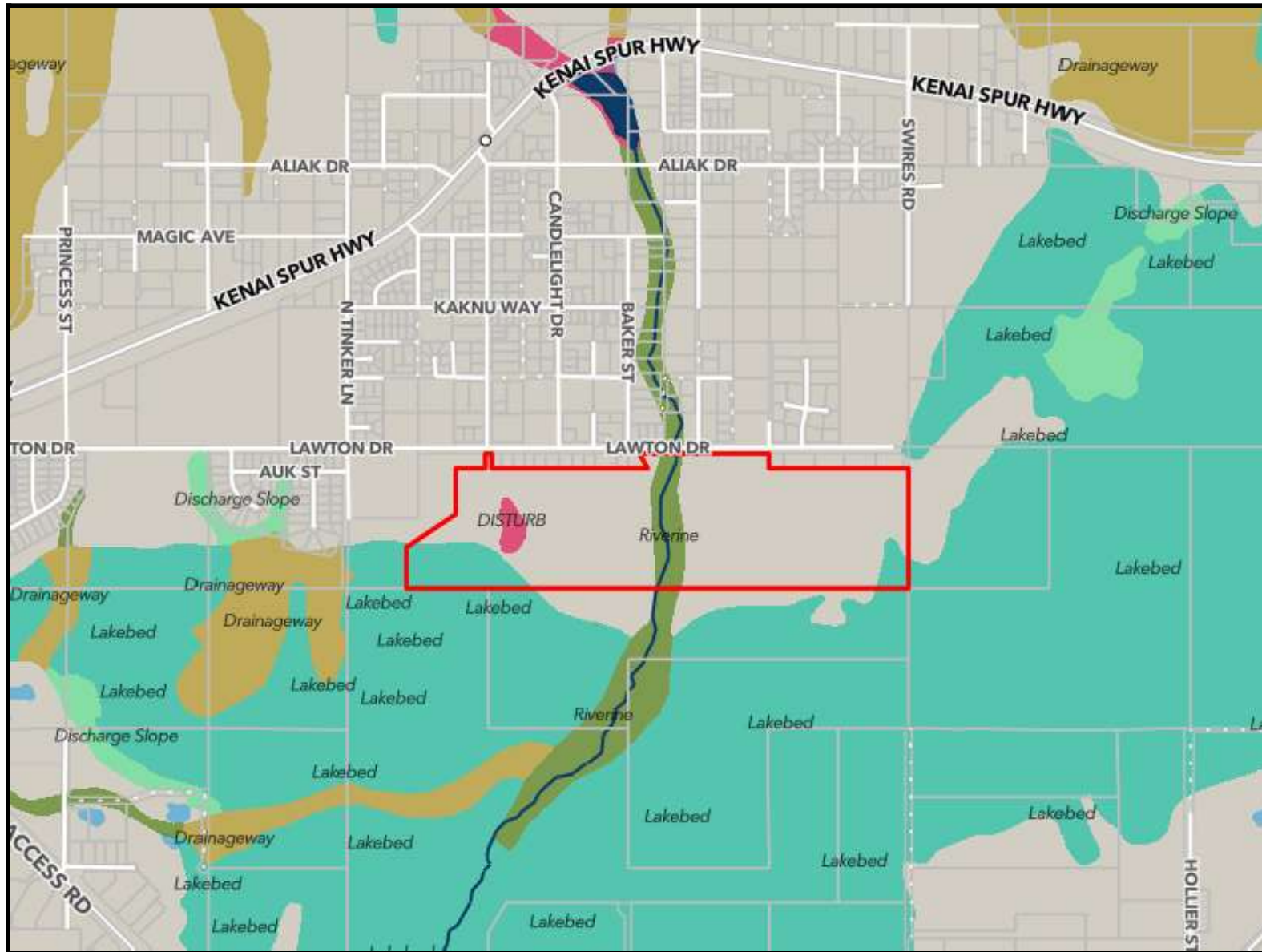
04938216

Parcel and PLSS

Parcel Ownership Type

- Borough
- Federal
- Native
- Native Allotment
- Municipal
- Private
- State





Project Area

KPB Parcel(s):

04938216

Regulatory

Anadromous

Western Cook Inlet Updates 2025

WCI2025 line

- Exempt- Removed
- Exempt- Unchanged
- Managed- Removed
- Managed- Unchanged
- Proposed- New Addition
- Proposed- Re-Substantiated Addition
- Unregulated- New Addition
- Unregulated- Removed
- Unregulated- Unchanged





 **Project Area**

KPB Parcel(s):








04938216

Regulatory

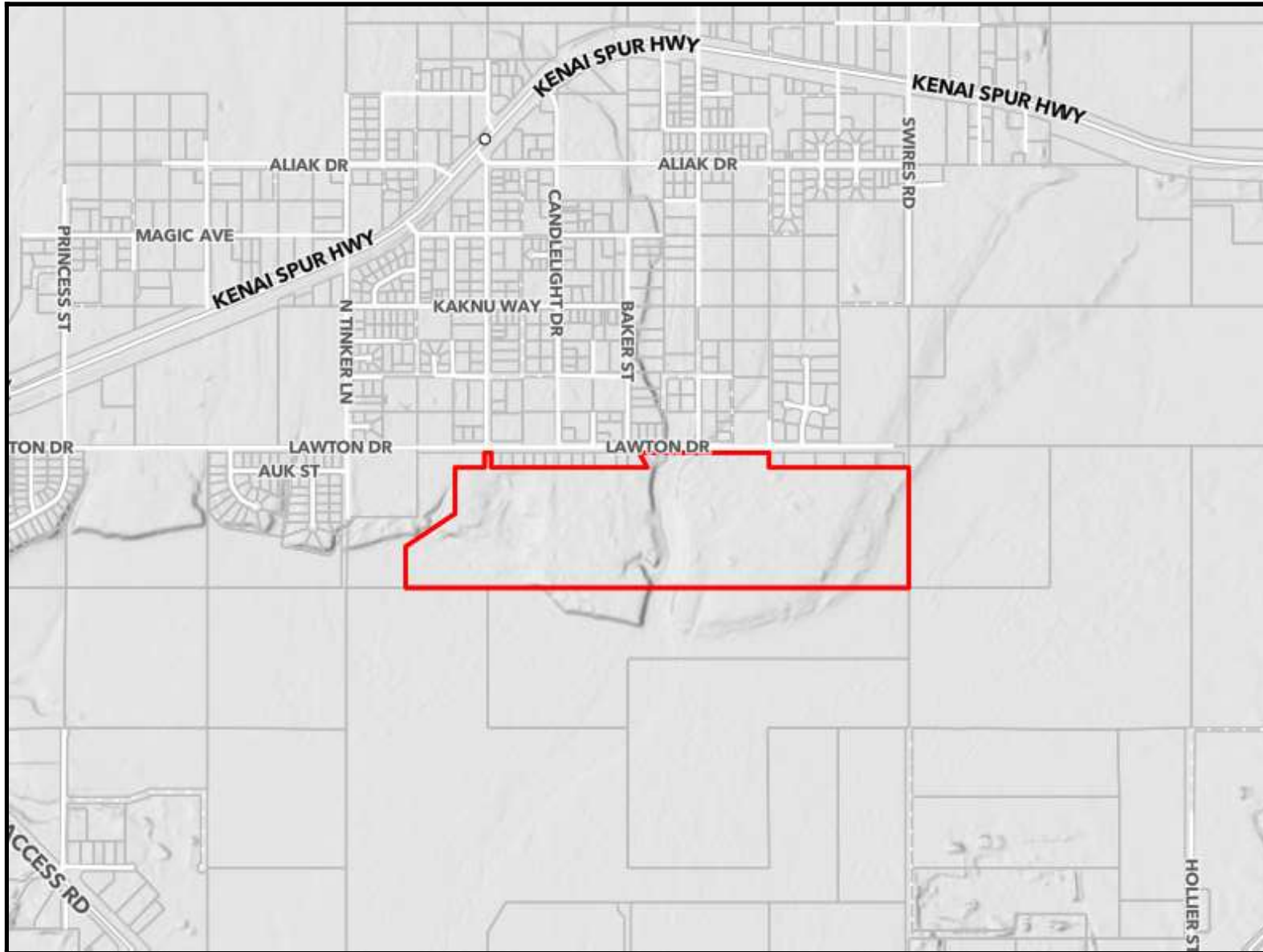
Anadromous

Western Cook Inlet Updates 2025

WCI2025 line

-  Exempt- Removed
-  Exempt- Unchanged
-  Managed- Removed
-  Managed- Unchanged
-  Proposed- New Addition
-  Proposed- Re-Substantiated Addition
-  Unregulated- New Addition
-  Unregulated- Removed
-  Unregulated- Unchanged





 Project Area

KPB Parcel(s):

04938216



From: [Brandon McElrea](#)
To: [Aldridge, Morgan](#)
Subject: <EXTERNAL-SENDER>Kenai Golf Course Bridge Project
Date: Thursday, August 14, 2025 12:08:27 PM

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Morgan,

Thank you for your due diligence in ensuring that the City of Kenai is aware and supportive of the application submitted by KNC Golf, Inc. regarding the bridge replacement on the Kenai Golf Course. Per your request, I confirmed with Administration that the City is aware and fully supportive of this project. If you need anything more, feel free to contact me via email, or at the number below.

Best regards,
Brandon

Brandon McElrea

Land Management Analyst

City of Kenai | 210 Fidalgo Avenue | Kenai, AK 99611

O: (907)283-8233 | bmcElrea@kenai.city



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

| | |
|-------------------------------------|--|
| PC Res No. | 2025-19 |
| Planning Commission Meeting: | Monday, September 8, 2025 |
| Applicant | KNC Golf Inc |
| Mailing Address | 201 Fidalgo Avenue Kenai, AK 99611 |
| Legal Description | T 5N R 11W SEC 3 SM KN PTN GLS 1 2 3 & 4 PER LSE AMDS 395/749 & 395/754 EXCL FIVE IRONS HEIGHTS SUB |
| Physical Address | 1500 LAWTON DR |
| KPB Parcel Number | 04938216 |

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of the removal and replacement of a bridge across the stream as established in KPB 21.18.040.

Background Information

Wooden bridge installed in the late 1980's is falling apart and needs to be replaced. Bridge footprint size will decrease and span distance will increase. Revegetation of areas under the old bridge will be accomplished with native plantings.

Project Details within the 50-foot Habitat Protection District

Removal and replacement of a bridge across the stream. The new bridge will reduce the width of the bridge from 24 feet to 8 feet. The bridge will be a prefabricated metal truss rail flat bridge with four driven Techno Piles, 5.5 inches in diameter.

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation infrastructure may be approved as a conditional structure/use within the habitat protection district.

3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. This bridge has been reviewed by the Alaska Department of Fish and Game (ADFG) Habitat and meets their standards for fish passage. An ADFG permit will be issued upon PC approval.
7. The footprint of the bridge will be greatly reduced and revegetation of areas along the water will occur.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Pursuant to KPB 21.18.140 ORD 2025-12, the proposed project meets the definition for water dependent.
10. The River Center found the application complete and scheduled a public hearing for Monday, September 8, 2025.
11. Agency review was distributed on 08/20/2025. No comments or objections have been received from resource agencies to date.
12. Notice of this project was sent to the City of Kenai. The City reviewed this project and has recommended approval, their attached email is in the packet.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on 08/20/2025. A total of 46 mailings were sent.
14. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
15. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Creek (244-30-10010-2007).
2. The bridge must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.

8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3 and Finding 4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Conditions 6, 11 and Findings 1-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Finding 8 appears to support this standard.**
4. The proposed use or structure is water-dependent; **Finding 1 and 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements; **Conditions 11, 12 and Finding 15 appear to support this standard.**

Attachments

Multi-Agency Application

Draft Resolution 2025-19

City of Kenai letter

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2025-19.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2025-19

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE REPLACEMENT OF A BRIDGE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE UNNAMED CREEK (244-30-10010-2007).

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was posted as provided in Section 01.08.180 (B) (1) (3); and
- WHEREAS,** public testimony was received at the Monday, September 8, 2025 meeting of the Kenai Peninsula Borough Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

Replacing a 24 foot wide wooden bridge with an 8 foot by 20 foot metal truss rail bridge.

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation infrastructure may be approved as a conditional structure/use within the habitat protection district.

3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. This bridge has been reviewed by the Alaska Department of Fish and Game (ADFG) Habitat and meets their standard for fish passage. An ADFG permit will be issued upon PC approval.
7. The footprint of the bridge will be greatly reduced and revegetation of areas along the water will occur.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Pursuant to KPB 21.18.140 ORD 2025-12, the proposed project meets the definition of water dependent.
10. The River Center found the application complete and scheduled a public hearing for Monday, September 8, 2025.
11. Agency review was distributed on 08/20/2025. No comments or objections have been received from resource agencies to date.
12. Notice of this project was sent to the City of Kenai. The City reviewed this project and has recommended approval, their email is included in the packet.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on 08/20/2025. A total of 46 mailings were sent.
14. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
15. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Creek (244-30-10010-2007).
2. The Replacing a 24 foot wide wooden bridge with an 8 foot by 20 foot metal truss rail bridge. must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.

5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3 and Finding 4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Conditions 6, 11 and Findings 1-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Finding 8 appears to support this standard.**

4. The proposed use or structure is water-dependent; **Findings 1 and 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 11, 12 and Finding 15 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2025.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.