

WORK SESSION AGENDA

1. Call to Order 5:30 p.m.
2. Homer Farmers' Market Speaker **page 87 of regular meeting packet**
3. Discussion of Items on the Regular Meeting Agenda
4. Public Comments
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. Commission Comments
6. Adjournment

REGULAR MEETING AGENDA

1. Call to Order

2. Approval of Agenda

3. Public Comment

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

4. Reconsideration

5. Adoption of Consent Agenda

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

A. Approval of Minutes of May 7, 2014 meeting **pg. 5**

B. Decisions and Findings for Conditional Use Permit (CUP) 2014-06 Request for a new Harbormaster building with overslope development and located within the required setback area at 4311 Freight Dock Road **pg. 11**

6. Presentations

7. Reports

A. Staff Report PL 14-43, City Planner's Report **pg. 17**

8. Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report PL 14-44, CUP 2014-07 Request for reduction of the 20 ft. building setback along Lee Drive in the Central Business District at 564 E Pioneer Ave **pg. 19**

9. Plat Consideration

A. Staff Report PL 14-45, Ditton 2014 Replat Tract A Preliminary Plat **pg. 65**

10. Pending Business

A. Staff Report PL 14-46, Draft Ordinance on Heliports **pg. 73**

11. New Business

A. Staff Report 14-47, Draft Ordinance on "Towers" **pg. 85**

B. Staff Report 14-48, Ordinance 14-20 Farmers market/Open Air Business for CBD, GC1 and GC2 Districts **pg. 87**

12. Informational Materials

- A. City Manager's Report from the May 12, 2014 City Council Meeting **pg. 101**
- B. Kenai Peninsula Borough Planning Commission Notice of Decisions
 - Homer East End Road Kachemak Dr. to Waterman Rd. Right of Way Map Time Extension Request **pg. 105**
 - Foothills Subdivision Sunset View Estates Addition No. 2 Time Extension Request **pg. 107**

13. Comments of the Audience

Members of the audience may address the Commission on any subject. (3 minute time limit)

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission. Next regular meeting is scheduled for June 4, 2014. A work session will be held at 5:30 pm.

Session 14-09, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:35 p.m. on May 7, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, ERICKSON, HIGHLAND, STEAD, STROOZAS, VENUTI

ABSENT: COMMISSIONER SLONE

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

APPROVAL OF AGENDA

Chair Venuti called for a motion to approve the agenda.

BOS/HIGHLAND - SO MOVED

There was no discussion.

The agenda was approved by consensus of the Commission.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

There were no public comments.

RECONSIDERATION

No items were scheduled for reconsideration.

ADOPTION OF CONSENT AGENDA

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of the minutes of April 16, 2014 meeting
- B. Decisions and Findings for Conditional Use Permit (CUP) 2014-05 Request to Allow Building into the front Setback at 320 W. Pioneer Ave.

Chair Venuti requested a motion to approve the consent agenda.

BOS/HIGHLAND - SO MOVED.

There was no discussion.

The consent agenda was approved by consensus of the Commission.

PRESENTATIONS

There were no presentations scheduled.

REPORTS

A. Staff Report PL 14-37, City Planner's Report

Deputy City Planner Engebretsen reviewed her report.

PUBLIC HEARINGS

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items- The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report PL 14-38, Vacation of utility and pedestrian easements at 4311 Freight Dock Road

Deputy City Planner Engebretsen reviewed the staff report; stated staff is recommending approval of the request for a vacation of the utility and pedestrian easement.

There was one question from the commission regarding location of the pedestrian path along the harbor.

Mr. Dan Nelsen, Project Manager and Carey Meyer, Public Works, City of Homer, provided a brief summary of the project requiring the need for the vacation of the easements.

The commission requested clarification on existing utilities relocation.

Chair Venuti opened the public hearing. No audience was present and the public hearing was closed. There was no rebuttal by staff or applicant. There were no further questions from the commission. Chair Venuti requested a motion.

BOS/ERICKSON - MOVED TO ADOPT STAFF REPORT PL 14-38 VACATION OF UTILITY AND PEDESTRIAN EASEMENTS AT 4311 FREIGHT DOCK ROAD WITH STAFF RECOMMENDATION.

There was a brief discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL 14-39, CUP 14-06 Request for a new Harbormaster building with overslope development and located within the required setback area at 4311 Freight Dock Road

Deputy City Planner Engebretsen provided a correction that the proposed building was moved five feet from the property line and continued to reviewed the staff report; stated staff is recommending approval of the request for a conditional use permit with conditions. Ms. Engebretsen stated for the record that Finding #3 should read: The design of harbormaster office and the boardwalk platform are compatible with the design of the harbor viewing platform and the Seldovia Ferry office on the adjoining properties.

Mr. Nelsen provided a brief summary of the project.

Chair Venuti opened the public hearing. No audience was present and the public hearing was closed. There was no rebuttal by staff or applicant.

Staff and the Applicant responded to questions from the commission regarding:

- vacation of lot lines
- public input opportunity
- extension of a structure over a property line where the property is owned by the same person or entity
- aesthetics
- exterior finish schedule
- location in relation to harbor staff accomplishing daily tasks
- size of building
- the future of the existing harbormaster office
- oil containment equipment on existing site

BOS/ERICKSON - MOVED TO ADOPT PL 14-39, CUP 14-06, REQUEST FOR A NEW HARBORMASTER BUILDING WITH OVERSLOPE DEVELOPMENT AND LOCATED WITHIN THE REQUIRED SETBACK AT 4311 FREIGHT DOCK ROAD WITH FINDINGS 1-12 AND CONDITIONS 1-3.

There was a brief discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

- A. Staff Report PL 14-40, Barnett Subdivision, Quiet Creek Addition 2014 Preliminary Plat

Deputy City Planner Engebretsen reviewed the staff report; stated staff is recommending approval of the plat.

One comment in favor was received from a neighboring property owner and was provided as a laydown.

Mr. Carey Meyer provided a summary of the project as the prospective purchaser of the property in question. There was no public present for comment. Staff responded to questions regarding the application process for a preliminary plat.

Mr. Meyer responded to the concern expressed by the commission regarding property owner approval of this application for a preliminary plat and provided assurance that nothing underhanded was being conducted. Other items addressed were existing road improvements, winter maintenance of the driveway, wetlands encroachment, permitting required from the Corps of Engineers,

STEAD/BOS - MOVED TO ADOPT STAFF REPORT PL 14-40 AND APPROVE BARNETT SUBDIVISION, QUIET CREEK ADDITION 2014 PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

Discussion regarding written documentation from the property owner.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 14-42, Draft Ordinance 14-XX Amending Homer City Code 21.03.040 Definitions to include "Hospital" and "Helipad" and redefining where heliports and helipads are permitted.

Deputy City Planner Engebretsen provided a summary of the staff report.

Discussion ensued regarding the commission's previous action on this ordinance.

HIGHLAND/- MOVED THAT THE COMMISSION ONLY ALLOW HELIPORTS IN THE AIRPORT AREA AND THAT HELIPADS ARE ONLY ALLOWED AT THE AIRPORT.

The motion died for lack of a second.

Discussion ensued on allowing heliports and helipads in Marine Industrial; the difference between a heliport and helipad; locations on the spit zoned Marine Industrial; previous lessons learned; a Conditional Use Permit is required;

ERICKSON/HIGHLAND - MOVED THAT HELIPAD IS ALLOWED WITH A CUP IN MARINE INDUSTRIAL AND HELIPORTS ARE NOT ALLOWED IN MARINE INDUSTRIAL.

Further discussion ensued on allowing helipads or heliports on the spit.

VOTE. NO. BOS, HIGHLAND, VENUTI, STROOZAS

VOTE. YES. ERICKSON, STEAD

Motion failed.

STEAD/ERICKSON - MOVED THAT HELIPADS BE ALLOWED IN MARINE INDUSTRIAL WITH A CUP.

There was a brief discussion on supporting points for allowing a helipad would be consistent if a heliport is already allowed.

VOTE. YES. ERICKSON, STEAD, VENUTI, STROOZAS, BOS

VOTE. NO. HIGHLAND.

Motion carried.

HIGHLAND/BOS - MOVED TO CHANGE HELIPADS BEING PERMITTED OUTRIGHT IN THE BRIDGE CREEK WATER PROTECTION (BCWP) TO REQUIRE A CUP FOR HELIPADS.

There was a discussion on the pros and cons to allowing helipads by CUP process only.

VOTE. NO. STEAD, STROOZAS.

VOTE. YES. VENUTI, HIGHLAND, BOS, ERICKSON.

Motion carried.

Staff explained the table for GC2 that Heliports are permitted outright at the airport and that helipads are allowed only by CUP process for GC2.

Commissioners requested the following changes:

- under the RO Helipads CUP needed insert Hospital.
- remove the permitted outright from the table for Helipad
- remove the permitted outright from the table for Heliports and include an explanation for the airport

NEW BUSINESS

A. Staff Report PL 14-41, Draft Ordinance 14-XX Amending Homer City Code 21.60.060 Table 3 Permitted Sign Characteristics by Zoning District to permit Changeable Copy and Internally Illuminated signs in the Gateway Business District

Staff reviewed the report. Recommendation to allow changeable copy signage and discuss allowing internally lit signage at this meeting.

A lengthy discussion was entertained on the pros and cons of changeable copy and whether the signage was internally lit or externally lit. Staff requested the commission come to consensus on what they would like to see and then the public can weigh in on the guidelines as presented. Currently signage that is externally lit is allowed.

Staff stated that the commission initiated an ordinance. This item can be postponed and discussed later. They can vote on it. The commissioners can recommend no changes be made and Council will make the final decisions.

Staff confirmed any commissioner can initiate a zoning ordinance referencing HCC 21.95.010. The next step is a public hearing held by the commission; the commission will then submit a recommendation to City Council will make the final decision.

Further discussion covered allowing permanent changeable copy signs on private property in the gateway business district, urban residential, rural residential and residential office districts; adding the word "permanent"; adding portable signs not permitted.

Staff summarized the recommendations of the commission and stated this would be back before the commission in June.

INFORMATIONAL MATERIALS

- A. City Manager's Report from April 14 and April 28, 2014 City Council Meetings
- B. KPB Notice of Decision RE: Bayview Gardens Subdivision 2014 Addition Preliminary Plat

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

Mr. Carey Meyer commented on the long meeting needing a CUP. He then provided a status update on the improvements to the Spit Trail, Public Restrooms and Karen Hornaday Park Pavilion.

COMMENTS OF STAFF

There was no comment from staff.

COMMENTS OF THE COMMISSION

Commissioner Highland commented on properties not being correctly platted and advising people about upcoming tree cutting in regards to the natural gas. She also questioned the size of the easement up West Hill Road.

Commissioner Bos commented on the two pieces of a house that is in the Gateway District and that it should be taken care of before the tourists arrive for the season. He hopes to see the work continued to clean up the portable junk yards, they are right in the thick of things and really bother him.

Commissioner Erickson, Stead and Stroozas had no comments.

Commissioner Venuti commented that he really liked the Sandhill Cranes on the restroom, it is really beautiful; that it wasn't fair to disband the TAC to cut down on overtime, he will have to comment on that at the City Council meeting and he also hoped that the commissioners will attend the meet & greet next Thursday with the EDC at the Chamber of Commerce mixer from 5-7 p.m.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:29 p.m. The next regular meeting is scheduled for May 21, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

Renee Krause, CMC, Deputy City Clerk

Approved: _____



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HOMER ADVISORY PLANNING COMMISSION

Meeting of May 7, 2014

Conditionally Approved

RE: Conditional Use Permit (CUP) 14-06

Address: 4311 Freight Dock Road

Legal Description: Lot 22 and Lot 23 of Homer Spit Subdivision No. 5 T 6S R 13W SEC 36 S.M and Lot G-8 Homer Spit Subdivision No. Two Amended T 6S & 7S R 13W SEC 35 & 36 & 1 & 2 S. M.

DECISION

Introduction

The City of Homer Public Works Department (the “Applicants”) applied to the Homer Advisory Planning Commission (the “Commission”) for a conditional use permit under Homer City Code 21.46.040(a), 21.28.030(j), 21.28.040(b), 21.30.030(j) and 21.30.040(b). The applicant proposes to build a new harbormaster office. The new building is within the Marine Industrial, Marine Commercial, and Small Boat Harbor Overlay Districts, and within a building setback area.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on May 7th, 2014. Notice of the public hearing was published in the local newspaper and sent to 4 property owners of 45 parcels.

At the May 7, 2014 meeting of the Commission, the Commission voted to approve the request with seven Commissioners present.

Evidence Presented

Deputy City Planner Engebretsen reviewed the staff report and noted Finding number three was amended. Carey Meyer, Public Works Director, and Dan Nelson, Project Manager made a presentation about the new building.

There was no public testimony.

Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines that Condition Use Permit 14-06 at 4311 Freight Dock Road is hereby approved.

Review of Building located within the setback area of the Marine Commercial and Marine Industrial Zoning Districts

21.28.030(j), 21.28.040(b), 21.30.030(j) and 21.30.040(b) state: In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and
2. Have a design that is compatible with that of the structures on the adjoining property.

Finding 1: The location of the building within the setback area along the rear lot line will not have a greater negative affect on the value of the adjoining property than a building located outside the setback area.

Finding 2: There are no structures on adjacent property along the rear lot line.

Finding 3: The design of the harbor master office and the boardwalk platform are compatible with the design of the harbor viewing platform and the Seldovia Ferry Office on the adjoining properties.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030 and 21.71.040.

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Finding 4: HCC Title 21 authorizes each proposed use and structure in the zoning districts.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Finding 5: The harbormaster office and boardwalk are compatible with the purposes of the Marine Industrial, Marine Commercial and Small Boat Harbor Overlay Districts.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Finding 6: The harbormaster office will not negatively affect the value of adjoining property greater than anticipated from other permitted or conditionally permitted uses in the Marine Commercial and Marine Industrial Districts.

d. The proposal is compatible with existing uses of surrounding land.

Finding 7: The proposed harbormaster building and cantilevered boardwalk are compatible with the existing uses of surrounding land.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 8: City water and sewer are available. Paved, maintained road access is via Freight Dock Road. Public services and facilities are adequate to serve the proposed use and site.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Finding 9: The proposal will not cause an undue harmful effect upon desirable neighborhood character, considering the scale, bulk, coverage, density, traffic generation and the nature and intensity of the proposed use of the land as a harbormaster office with the reduction in rear lot line setback and boardwalk construction.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Finding 10: The proposal will not be detrimental nor have a great impact to the health welfare and safety of the City as a whole. The proposal will benefit the health, welfare and safety of the users of the Homer boat harbor and surrounding lands.

Finding 11: The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

h. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Finding 11: The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

i. The proposal will comply with all applicable provisions of the Community Design Manual.

Finding 12: No outdoor furnishings on rights of way are proposed in this project. There are no applicable provisions of the Community Design Manual.

In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces.**
- 2. Fences, walls and screening.**
- 3. Surfacing of vehicular ways and parking areas.**
- 4. Street and road dedications and improvements (or bonds).**
- 5. Control of points of vehicular ingress and egress.**
- 6. Special restrictions on signs.**
- 7. Landscaping.**
- 8. Maintenance of the grounds, buildings, or structures.**
- 9. Control of noise, vibration, odors, lighting or other similar nuisances.**
- 10. Limitation of time for certain activities.**
- 11. A time period within which the proposed use shall be developed and commence operation.**
- 12. A limit on total duration of use or on the term of the permit, or both.**
- 13. More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.**
- 14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.**

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2014-06 is hereby approved, with findings 1-12 and conditions 1-3.

Condition 1: The building color palette will meet the requirements of 21.46.060 (a).

Condition 2: If a dumpster is constructed in the future, it shall be screened on three sides.

Condition 3: Outdoor lighting must be down lit per HCC 21.59.030

Date _____ Chair, Franco Venuti

Date _____ City Planner, Rick Abboud

NOTICE OF APPEAL RIGHTS

Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2014. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date _____ Travis Brown, Planning Clerk

Dan Nelson, Project Manager
3575 Heath Street
Homer, AK 99603

Thomas Klinkner
Birch, Horton, Bittner & Cherot
1127 West 7th Ave
Anchorage, AK 99501

Walt Wrede, City Manager
491 E Pioneer Avenue
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STAFF REPORT PL 14-43

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: May 21, 2014
SUBJECT: City Planner's Report

City Council - Ordinance 14-19,

An Ordinance of the City Council of the City of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Rural Residential (RR), Urban Residential (UR) and Residential Office (RO) Zoning Districts to East End Mixed Use (E-MU). Van Dyke. Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

REFERRED to the Planning Department.

POSTPONED to no time certain.

I did speak with Councilman Van Dyke and he was satisfied with an effort to craft an ordinance based on the land use recommendations found in the comprehensive plan. Although I did not have time to make a staff report on the subject, I would gladly welcome some general discussion in preparation for the subject next meeting. You will notice an east end neighborhood commercial described on page 4-5 and "East End RO Commercial MU" designation on the Land Use Recommendations map in the Comprehensive Plan.

Ordinance 14-20, An Ordinance of the Homer City Council Amending Homer City Code 21.18.030, Conditional Uses and Structures, 21.24.030, Conditional Uses and Structures, and 21.26.030, Conditional Uses and Structures, to Add Farmers' Market as a Conditional Use in the Central Business District, General Commercial 1 and General Commercial 2 Zoning Districts. Roberts.

Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

AMENDED to add Open-Air Business to the three districts and REFERRED to the Planning Commission.

Staff activities: Dotti is out of the office until after Memorial Day. I am attending the Chamber mixer May 15th and will be attending a meeting with DOT to discuss Lake and Pioneer Street projects May 23rd. A schedule of meetings is being proposed for discernment of the proposed Public Safety Building. So far, three different sites are being considered.



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Staff Report PL 14-44

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 21, 2014
SUBJECT: CUP 14-07

Synopsis The applicant is requesting approval of a building setback reduction along Lee Drive. A Conditional Use Permit (CUP) is required per HCC. 21.18.040(b)(4)

Applicants: Leslie Mastick
564 E Pioneer Ave
Homer, AK 99603
Kenton Bloom, PLS
Seabright Surveying + Design
1044 Suite A East End Road
Homer, AK 99603

Location: 564 E. Pioneer Ave, adjacent to WKFL Park, northwest of the Heath St and Pioneer Ave intersection.

Parcel ID: 17720213

Size of Existing Lot: 0.37 acres

Zoning Designation: Central Business District

Existing Land Use: Retail

Surrounding Land Use: North: Residential/Vacant
South: Commercial: Restaurant, college
East: WKFL Park, Fire & Police station, Kachemak Center
West: Former Wild Berry store/ vacant commercial building

Wetland Status: No designated wetlands on this parcel.

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities serve the site.

Public Notice: Notice was sent to 14 property owners of 25 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant is seeking a reduction in the 20 foot building setback along Lee Drive for an existing structure. The back of the building encroaches 7.5 feet into the 20 foot building setback of Lee Drive. This portion of the building is not eligible for nonconforming

status. The Planning Department would like to resolve this encroachment prior to issuing any further zoning permits on the property. The setback issue may be resolved by approval of a conditional use permit for the portion of the building within the Lee Drive building setback area.

The applicant would like to build a second story addition on the building, and discusses this in the application. This addition does not require approval through the Conditional Use Permit process. The subject of the conditional use permit and this staff report is only the building within the 20 foot setback.

The building does not meet side setback requirements along the east and west property lines. The applicant is pursuing nonconforming status as required by HCC. 21.61. Approval of this CUP does not preclude HCC21.61.030(e).

“e. No zoning permit may be issued under Chapter 21.70 HCC for any activity on a lot prior to a determination under this section approving of all nonconforming uses and structures existing on the lot.”

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.020, General conditions, and establishes the following conditions:

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district;

Finding 1: HCC 21.18.040(b)4 authorizes a reduced setback from a dedicated right of way as a conditional use in the Central Business District. 21.18.020(a) authorizes retail business and 21.18.020(c) authorizes professional and general business offices.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

21.18.010 Purpose: The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

Finding 2: The existing building is a structure that provides space for existing retail uses. The structure and centrally located retail activity are compatible uses with the purpose of the district.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Analysis: The building within the setback area will not negatively affect the usage of adjoining lots; residential, commercial, and vacant land, park, and the college.

Finding 3: The building setback reduction on Lee Drive is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

d. The proposal is compatible with existing uses of surrounding land.

Analysis: Lee Drive is the boundary between the Central Business District to the South, and the Urban Residential District to the north. Existing land uses to the north include vacant land, and single family homes to the northeast. The building at 564 E Pioneer Ave is oriented to Pioneer Ave; all building entrances and the parking lot faces Pioneer Ave. The building is pushed to the north side of the lot, up against the Lee Drive right of way. The building is one story, and has been back filled to about the grade of the existing Lee Drive. The portion that is within the building setback area was constructed in 1977-78. There is no record of complaints or problems with the building location from neighboring property owners, in the 30 + years since it was constructed.

Finding 4: The build setback area reduction as presented is compatible with existing uses of surrounding land.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 5: Existing public, water, sewer, and fire services are adequate to serve the structure.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Analysis: The existing bulk and scale of the structure has not caused a harmful effect on the desirable neighborhood character. Lee Drive is uphill from Pioneer Ave; staff estimates there is a 10-12 foot drop from Lee Drive down to the parking lot level. The rear of the building has been back filled, so that Lee Drive is about level with the roof line. (see photos, attached). The property owner by right could build as high as 35 feet adjacent to Lee Drive, which would have a greater effect on the bulk and scale of the structure on a street that fronts residentially zoned land.. The roofline of the existing

building is approximately at grade, or slightly higher than Lee Drive. The existing building has little effect on current neighborhood character.

Finding 6: The portion of the building within the 20 foot building setback does not cause undue harmful effect upon desirable neighborhood character.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Analysis: The existing building does not impinge on the exiting street. There is an existing sewer line in the right of way. The location of the building does not appear to cause any limitations for future improvement of Lee Drive up to City road standards.

Finding 7: Reducing the building setback area will not be detrimental to the health, safety or welfare of the surrounding area of the City as a whole.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Condition 1: No zoning permit shall be granted prior to approval of nonconforming status for the side setback encroaches per HCC 21.61.030(e).

Finding 8: With an approved CUP, this proposal will comply with the applicable regulations and conditions specified in HCC Title 21.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Analysis: Goals of the Land Use Chapter of the Homer Comprehensive Plan include Goal 4 Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce district in the CBD following the guidelines found in the Town Center Plan. Implementation Strategy 3: Revise land use policies to encourage and permit the types of uses, sites and buildings needed for a successful town center. Changes include establishing maximum building setbacks (“build to” lines), increased maximum building heights, standards for the relationships of buildings to the street and rules encouraging mixed use, including office or residential uses such as apartments above retail.

HCC 21.18.040(b)4 allows for a reduction in the building setback along rights of way, as recommended by the Comprehensive Plan. Approval of the CUP will allow the property

owner to apply for and receive zoning permits now and in the future. The owner's current plans include adding an office space above a retail location. Denial of the CUP will result in the denial of any new zoning permits.

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan.

j. The proposal will comply with the applicable provisions of the Community Design Manual (CDM).

Analysis: The applicant provided a CDM review as part of the application. The majority of the review focused on the future second story addition, which does not require a CUP nor CDM review. The subject of this CUP is the back of the existing building. The CDM does not apply to a portion of the building not undergoing any renovation or changes as part of the CUP process.

Finding 10: There are no applicable provisions of the CDM for the existing building within the twenty foot building setback.

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** No specific conditions deemed necessary.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.

PUBLIC WORKS COMMENTS: None.

FIRE DEPARTMENT COMMENTS: No issues from the fire department. An addition will require Fire Marshal review.

PUBLIC COMMENTS: None

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP2014-07 with findings 1-10 and condition 1.

Condition 1: No zoning permit shall be granted prior to approval of nonconforming status for the side setback encroaches per HCC 21.61.030(e).

Attachments

Application

Public Notice

Aerial Photograph

Site photographs

SEABRIGHT SURVEY + DESIGN

Kenton Bloom, PLS
1044 East Road Suite A
Homer, Alaska 99603
(907) 235-4247 (& fax)
seabrightz@yahoo.com

May 5, 2014

City of Homer
Planning Dept.
491 E. Pioneer Avenue
Homer, Alaska 99603

RE: Homer's Jeans Building C.U.P. Submittal

Dear Planners,


Seabright Survey + Design is pleased to submit the **Homer's Jeans Building C.U.P. Submittal** on behalf of **Leslie Mastick**

We are providing you with a check for \$500.00 for the C.U.P. fees and a complete submittal that includes:

- * C.U.P Application
- * Community Design Manual review
- * One 11x17 Site Plan color
- * Renderings of the proposed building additions color
- * Floor plans and elevations
- * Miscellaneous (utility locates, design elements, etc.)

We are specifically requesting a setback reduction for the existing building along the Lee Drive right of way. The building has been in existence for over 25 years. This process of formalizing the existing site condition is necessary to accommodate the proposed addition documented in this submittal. We feel the benefits of the setback reduction serve the best interest of the City, the community and the patrons of Homer's Jeans and Blackberry Bog.

We look forward to working with the City of Homer on this project on Pioneer Avenue. Thank you for your consideration of this application. Please call me anytime with comments or questions.

Cordially,

Kenton Bloom, P.L.S.
Seabright Survey + Design

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**CITY OF HOMER
PLANNING/ZONING**



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

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04/30/2014

Applicant

Name: Kenton Bloom, PLS

Seabright Survey + Design__Telephone No.: 907-235-4247

Address: 1044 East Road Homer, AK 99603_____Email: seabrightz@yahoo.com_____

**CITY OF HOMER
PLANNING/ZONING**

Property Owner (if different than the applicant):

Name: Leslie Mastick_____Telephone No.: 907-399-6383

Address: 564 E. Pioneer Avenue Suite 1_____Email: lesliemastick@gmail.com

PROPERTY INFORMATION:

Address: 564 E. Pioneer Avenue___Lot Size: 0.37 acres KP Tax ID # 17720213

Legal Description of Property: GLACIER VIEW SUB NO 1 REPLAT LTS 1 8 & 9 BLK 4 LOT 8-A

For staff use:

Date: 4/30/2014 Fee submittal: Amount \$500.

Received by: Travis Brown Date application accepted as complete_____

Planning Commission Public Hearing Date: 5/21/2014

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWPD
Level 1 Site Plan	x	x	x			x			x		x	x
Level 1 ROW Access Plan	x	x							x		x	
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x		
Level 2 Site Plan			x	x	x		x	x		x		
Level 2 ROW Access Plan			x	x	x		x	x		x		
Level 2 Site Development Standards			x*	x	x	x	x	x				
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						

Circle applicable permits. Planning staff will be glad to assist with these questions.

- Y N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____
- Y N Will your development trigger a Development Activity Plan?
Application Status: _____
- Y N Will your development trigger a Storm water Plan?
Application Status: _____
- Y N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____
- Y N Is your development in a floodplain? If yes, a Flood Development Permit is required.
- Y N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
- Y N Do you need a traffic impact analysis? *No*
- Y N Are there any nonconforming uses or structures on the property? *Yes*
- Y N Have the nonconformities been formally accepted?
- Y N Do you have a state or city driveway permit? Status: *Existing*
- Y N Do you have active City water and sewer permits? Status: *Existing*

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

One 4,701 existing single story retail building.

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

20' x 40' second story addition for office space.

New 3.5' x 18' entryway facing Pioneer Avenue.

CONDITIONAL USE INFORMATION: (Please use additional sheet(s), if necessary)

- a. What code citation authorizes each proposed use and structure by conditional use permit?
HCC 21.18.040(b)(4) If approved by a conditional use permit, the setback from a dedicated right-of-way, except from the Sterling Highway or Lake Street, may be reduced.
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. *Both retail and office is a permitted use in the Central Business District per HCC 21.18.020(a) and (c).*

c. How will your proposed project affect adjoining property values? *The Homer's Jeans proposed development will enhance the Pioneer Avenue Business District by responding to elements addressed in the Community Design Manual. In this case it includes a new entrance facing the street with a covered porch area. The second story is designed to complement the existing building with a hip roof, ample windows and quality finishes. It will offer mixed use options. This proposal is a significant improvement and provides additional pedestrian walkways. The landscaped areas will be maintained.*

d. How is your proposal compatible with existing uses of the surrounding land? *This is an existing use with an addition for offices, staff lounge, bathroom, etc.*

e. Are/will public services adequate to serve the proposed uses and structures?

Adequate public services are existing.

f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?

The addition is designed to be harmonious with scale, coverage, density and bulk of the existing Pioneer Avenue streetscape. The Homer's Jeans addition is a positive addition to the neighborhood. The attached architectural views provide a good look at the proposed addition.

g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole? *The development will be harmonious with the health, safety and welfare of the surrounding area and the City as a whole.*

h. How does your project relate to the goals of the Comprehensive Plan?

<http://www.cityofhomer-ak.gov/planning/comprehensive-plan-2008-adopted-2010>

This plan is clearly in line with the goals of the Comprehensive Plan. Homer's Jeans occupies a unique location adjacent to the KHLT Park. This relationship with the park is envisioned to continue to grow more integrated by adding new pedestrian accesses off of both Lee Avenue and Pioneer Avenue. The enhanced landscaping and attractive outdoor lighting will combine to make a welcoming and inviting place of business on Pioneer Avenue. The addition will add a mixed use to the property

i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (**circle each answer**)

1. Y N Special yards and spaces.
2. Y N Fences, walls and screening.
3. Y N Surfacing of parking areas.
4. Y N Street and road dedications and improvements (or bonds).
5. Y N Control of points of vehicular ingress & egress.

- 6. Y N Special provisions on signs.
- 7. Y N Landscaping.
- 8. Y N Maintenance of the grounds, buildings, or structures.
- 9. Y N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
- 10. Y N Time for certain activities.
- 11. Y N A time period within which the proposed use shall be developed.
- 12. Y N A limit on total duration of use.
- 13. Y N Special dimensional requirements such as lot area, setbacks, building height.
- 14. Y N Other conditions deemed necessary to protect the interest of the community.

PARKING

- 1. How many parking spaces are required for your development? 14
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). _____
- 2. How many spaces are shown on your parking plan? 14
- 3. Are you requesting any reductions? *The reduction for mixed use is already factored in. The proposed addition is designed to be a stand alone office with its own entrance on the west side of the existing building.*

Include a site plan, drawn to a scale of not less than 1" = 20' which shows allow existing and proposed structures, clearing, fill, vegetation and drainage.

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

CIRCLE ONE: Owner of record Lessee Contract purchaser

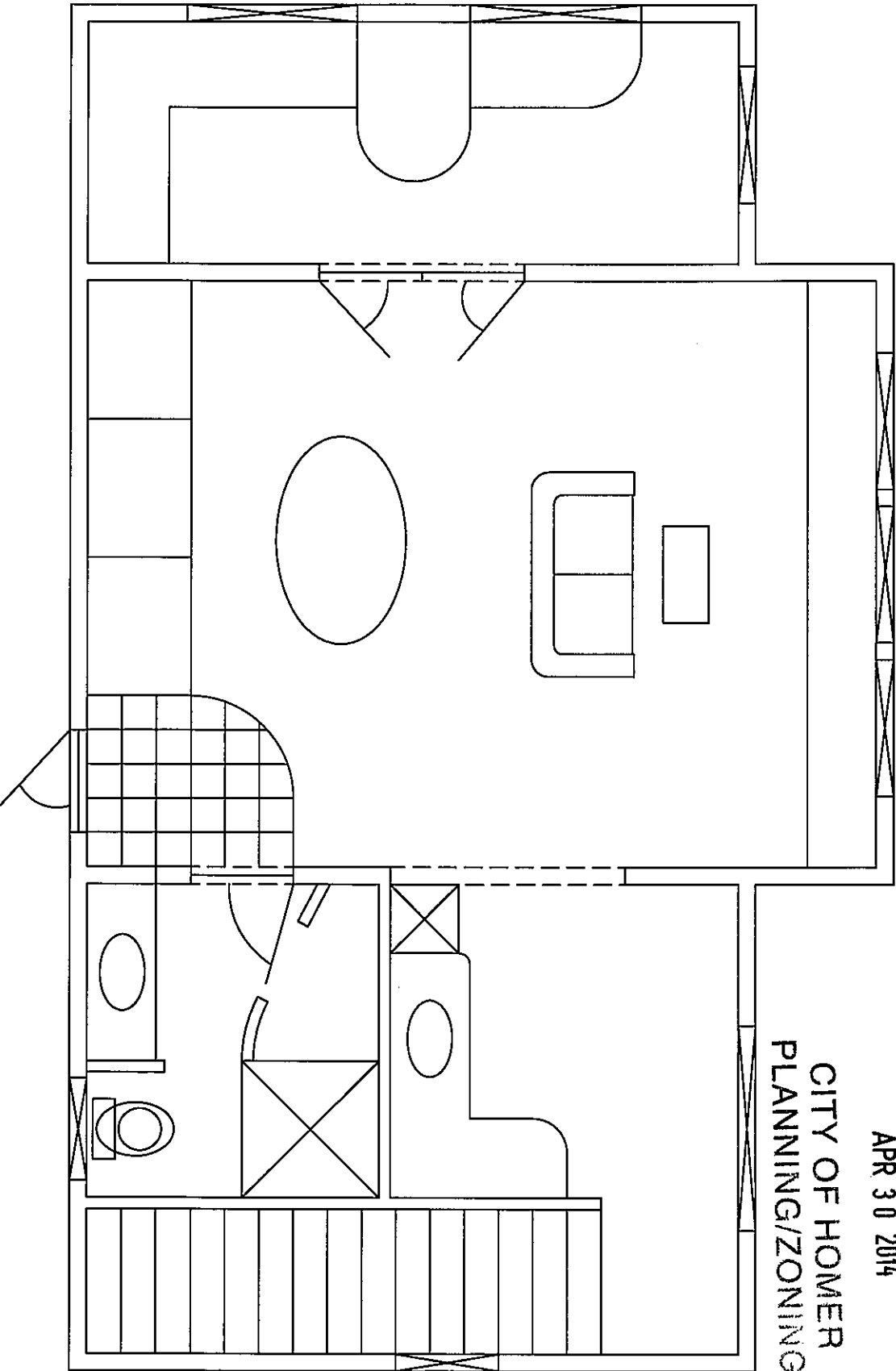
Applicant signature: *Kenton Blom* Date: 4/29/14

Property Owner's signature: *Leshia Mastick* Date: 4/29/14

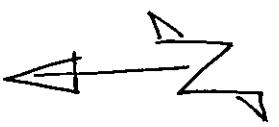
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CITY OF HOMER
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Second Floor Plan



SCALE=1"=300'

MAP

BY:

Charles P. Thompson

MAYOR

W 1/16

Ind. B-C
268-S
1969

89°-57'-30"E 1320.4 (229-S 89°-53'E 1321.5')

SEC 17
SEC 20

Ind. USGLO 1917M
set in conc. 1/4

Lee

Drive

St.

B-4

2

150'

89°-57'-30"E (229-S 89°-53'E)

82.00'

149.22'

80.61'

410'

LOT 1-A
5,347 S.F.
10' BLDG. SET-BACK
92.96'
92.15'
NO°-03'-30"W
S 61°-16'-30"W 74.55'
(REC. NO°-06'W)
(REC. S 61°-20'W)

LOT 8-A
16,235 S.F.
SET-BACK
N 22°-43'-30"W 128.68 (REC. 127.83)
N 22°-43'-30"W 116.44 (REC. 116.44)

LOT 9-A
13,690 S.F.
SET-BACK LINE
149.22'
N 22°-43'-30"W
S 0°-04'-30"E 80.61'
(REC. 104.05')
(REC. S 0°-06'E)

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CERTIFICATE OF OWNERSHIP OF HOMER
PLANNING/ZONING

I hereby certify that we are the owners of the property and described hereon, and that we hereby adopt this subdivision.

Pioneer Avenue
PLAT CENTERLINE

APPROX. ACTUAL-CENTL. AVENUE

BASE BEARING S 0°-04'-30"E (REC. S 0°-06'E)

75-18

Community Design Manual (CDM) Review Application Requirements

Project Name and Location: 567 E. Pioneer Avenue, Leslie Mastick, by Seabright Survey + Design
Many Conditional Use Permits (CUP) required compliance with the Community Design Manual (CDM). By providing the following information, your project can be reviewed more quickly and thoroughly.

Landscaping, Vegetation and Screening Plan. See pg 28-31 of the CDM.

Utilities Plan. Provide a utilities plan showing location of utilities in relation to landscape and buffer areas (utility plan must be consistent with proposed areas of non-disturbance).

Parking and Paving Plan. See pg 33-35 of the CDM.

Grading and Drainage Plan. Include all cuts, fills, slopes, disturbed areas, retaining walls and structures.

Elevation Drawings. Provide complete elevation drawings of all buildings showing dimensions, trim details, color(s) and proposed materials including roofing, siding, and windows.

Sign Plan. A master sign plan showing the location of all signage consistent with HCC 21.60.

Lighting Plan. See pg 7,8 and pg 35-37 of the CDM and HCC 21.59.020-030.

Site Design. *This should align with the Grading and Drainage Plan. Pg 6 of the CDM.*

Describe the how building design transitions into the parking lot and landscaped areas. Describe your efforts to minimize cut/fill and to respect the natural topography.

The development of this parcel is well established and the parking lot is paved. This proposed addition includes some upgrades to pedestrian accessibility and landscaping. The parking areas will be clearly delineated. The landscaped areas will be protected from automobile traffic.

Prominent Facades-Building Scale and Mass. *This should align with the elevation drawings. Pg 8-10, 27 of the CDM.*

Describe how the building's design reflects the mass and scale of adjacent properties:

The proposed addition is in harmony with the mass and scale of other buildings along Pioneer Avenue

- Y/N Does the building design avoid false pitch roofs? If no, see pg. 11-13. Yes
- Y/N Does the building design avoid A-frame, modified A-Frame, domes, curvilinear roof or other unusual roof forms? If no, see page 10. Yes

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Window and Door Fenestration. *Should align with the elevation drawings. Pg 14 of the CDM.*

Windows and doors shall constitute a minimum of 25-30% of the prominent façade.

The proposed building will meet or exceed the desired ratio of windows and doors on the prominent facade.

Y/N Are the windows regularly spaced and aligned with other doors and windows in the same plane? Yes

- Y/N Does the building design include reflective glass? If so, Commission approval is required. No

Siding and Trim: *Page 15*

Describe the materials used for siding, the trim and the colors.

Siding Color: Type: Black/Gray tones

Trim Color: Gray

Type: Aztec Allweather trim with wood texture

Does the siding include:

- Y/N Metal panels No
- Y/N Sheet siding like T1-11 No
- Y/N Concrete panels No
- Y/N Tile No
- Y/N Smooth Concrete Blocks No
- Y/N Vertically ribbed or vertically grooved material No

Miscellaneous Architectural Devices: *This should align with the elevation drawings. Pg 15-17 of the CDM,*

Describe the use of awnings, awning fabric (opaque only), the lighting of the awnings and their function. Provide the linear feet of awning. Tenant franchise themes are not allowed in the TCD and GBD per HCC 21.20.050 and HCC 21.22.060. Describe how the building integrates artwork into the design.

We have no awnings nor tenant themes. Homer's Jeans is well known for its funky charm and associated artsy feel. There will be numerous opportunities to activate the area.

- Y/N Does the building design avoid the use of color to promote a theme or tenant specific identity? Yes
For example a typical Pizza Hut, McDonalds, Taco Bell building promotes a theme.
- Y/N Does the building design avoid use of neon, tube shaped lighting? Yes
- Y/N Does the building avoid back-lit awnings? Yes
- Y/N Does the use of awning provide weather protection over walkways and entrances? Yes
- Y/N Are the awnings consistent in design? Multiple awning design is not permitted. Pg 16. N/A
- Y/N Is the awning design secondary and complimentary of the building design? N/A

Roofing materials. Pg 17-18 of the CDM.

Describe the roofing material: Asphalt shingles
What color is the roofing material? Black, gray, brown

Color. Pg 18-20 of the CDM.

What is the main color on the exterior walls? Black/gray tones
What color is the trim as in the fascia, cornice, window and door trim? Gray
Describe the use and color of accents such as molding, shadow lines, door frames: The trim will create a unified and clean façade.

Hierarchy in building design. This should align with the elevation drawings. Pg 18 of the CDM.

- Y/N or NA. Does the project include secondary building structures as support buildings? No
- Y/N or NA. Does the project include multiple tenant spaces? Yes

Describe the common architectural treatment of the buildings within the development. Include:

- Secondary structures as support buildings None
 - The façade (the exterior wall exposed to public view) the 'streetscape'.
The existing entrance will move to face Pioneer Ave. The new façade will include a porch roof at the new entrance and balanced placement of windows with the new front door.
 - Building height variation that reflects the location of individual tenants.
Building addition rooflines are lowered from the main roof creating an interesting and cohesive relationship between the existing building and the addition
 - Roof design
The primary roof is a Gable Roof sloping at 6/12
 - Window proportions
The window and door proportions on the façade are in harmony with the 25-30% that is a minimum.
 - Fencing
The fencing will be limited to the dumpster enclosure. It will be a 6' tall cedar fence.
-
-

Walkways. *This should align with the landscaping, parking and lighting plans. Pg 21,22 of the CDM.*

Describe how the walkways are linked between the main entrance to the parking area and the public right-of-way. Include the location, width, length, texture, lighting, seating, vegetation, integrated art work, color and the visual contrast to the other surfaces.

The walkways will all be a minimum of 5' wide, gravel and link the building entrance to the parking areas and to both Pioneer Ave. and Lee Ave. The steps leading down from Lee Avenue to The Pioneer Avenue level are proposed and will require an agreement between the City of Homer and the owner. These steps will be designated public access. Construction costs will be paid by the owner and completed as part of this project. Lighting will be designed to provide illumination to pedestrian areas and parking lots. Lighting will be downward directional and either mounted on the building or on poles not to exceed 12' in height.

- Y/N or NA. Are the walkways 5 ft wide or greater? Yes
- Y/N or NA. Are the walkways visually distinct from the surrounding surfaces? Yes
- Y/N or NA. Are vegetative strips 3 ft wide or greater? Yes. They are
- Y/N or NA. Are walkways 100 ft long or greater? If so, include lighting and seating. No
- Y/N or NA. Are historic events and structures identified? N/A
- Y/N or NA. Does you plan avoid walkways which cross parking stalls? No

Outdoor Common Areas. *This should align with the landscaping plan. Pg 23-26 of the CDM.*

Describe any building focal points that create a “visual draw,” and/or the buildings’ prominent entrance.

The entire front of this building is designed to create a welcome and invited feeling. The covered porch is the focal point. The artful sign and plantings around the building complement the walkways. The landscape plan includes trees, shrubs and flowers as well as lawn. The frontage on Lee Ave. will also be landscaped.

Describe the building’s outdoor leisure area. Include walkway location and widths for covered and uncovered walkways, plaza surfaces (brick, stone, aggregate concrete, colored, textured) landscaping, shrubbery, flowers, viewing platforms, seating and signage. Describe areas for outdoor sales/carts, art displays and outdoor dining. The site plan shows the pathways in relation to the porches and landscaping. All pathways are a minimum of 5' wide and are wood or gravel. The porches will be concrete. There is greenbelt fronting Pioneer Ave. Thoughtful landscape design adjacent to the WKFL Park will make the development more cohesive and visually attractive.

IF the project’s floor area (total sf of all floors) is less than 5,000 sf., move to ***Loading and delivery area.***

- Primary structures shall incorporate either a prominent portico or plaza which is visible to the public and useable to customers or clients. Its size shall be at least 10% of the main level interior floor area. (CDM page 20) N/A

- If the floor area (total sf of all floors) is greater than 5,000 sf., then 5% of the floor area must be devoted to an outdoor leisure area.

The landscaped areas in front of each building provide ample outdoor leisure area.

(Total floor area ____ sf) X (0.05) must be greater than the outdoor leisure area. (CDM pg 24)

The 10% calculated above can count towards the 5% outdoor leisure area requirement

- Y/N Does the leisure area have trash receptacles, seating and/or tables. No
- Y/N Does the outdoor leisure area include walkways? If so, the walkways must be 8 ft wide or greater (p. 24). The leisure areas are bounded by the parking lot and the building access walkways. No other walkway is required.

Loading and delivery area. Should align with the Parking Plan. Pg 27 of the CDM.

The needs for loading and unloading are modest and align with the parking plan.

- Y/N Are the loading and delivery areas oriented away from the street front? N/A

Landscaping and screening. Should align with the landscaping plan. Pg 28-31 of the CDM.

Describe the site's proposed landscaping, and any planned retention of the existing vegetation.

Provide a landscaping plan that includes:

- clearing limits No clearing required
- trees that will be thinned or topped None
- areas which will be completely cleared None
- the distance between buildings and trees No trees exist on site
- how existing vegetation will be protected during construction There will be minimal disturbance to existing vegetation in drainage ditch.
- how and where existing native vegetation will be retained. Existing vegetation along the westerly property line will not be affected.
- how and when the cleared areas will be replanted The landscaped areas will be planted after the proposed building is constructed and the site grading is completed.

The property is already developed and well cared for. The areas where enhanced planting is envisioned includes the Pioneer Ave, frontage and the shared boundary with the park.

- Y/N Is clearing limited to no more the 50% of the significant vegetation? Yes
- Y/N Does the plan include shrub planting on blank walls? Already has berry bushes along the east wall of the existing building.
- Y/N Does the plan include a minimum 3 ft landscaped buffer along all lot lines? Yes except as noted.

- Y/N Does the plan include a minimum 15-ft buffer from the top of a bank or drainage? The existing building footprint falls within the 15' buffer on the west side of the existing building.

Fences. Pg 31 of the CDM.

Describe the site's fencing, its purpose, its material, height and visibility to the public.

6' tall cedar fence for dumpster enclosure.

- Y/N Does your plan avoid chain-link fencing? Yes

Parking. Should align with the parking plan. Pg 33*39 of the CDM.

Number of curb cuts? 1 Width of curb cuts? 25ft. Distance between the curb cuts? N/A

Number of parking spaces? 14 Number parking spaces in front of the building? 14

- Y/N Does your plan avoid parking in front of the building entrances? Yes
- Y/N Are the curb cuts at least 200 ft. apart? Existing
- Y/N Is traffic directed to side streets where possible? N/A
- Y/N Is the parking lot visible from Sterling Hwy, Lake St., Health St., Main St. or Pioneer Ave.? Yes
- Y/N or NA. Is parking lot screened with a 3 ft high solid hedge. No
- Do the driveway widths meet the requirements below? Driveway entrance is 25' wide two way.
 - Maximum widths of one-lane driveways are 15 ft.
 - Maximum widths of two-lane driveways are 24 ft.
 - Maximum widths of three-lane driveways are 34 ft.

The WKFL park has no formal entrance and Homer's Jeans has been a de facto entrance to the park. The park provides no public parking for its users. Homer's Jeans often serves as the alternative parking location. The owner proposes to work with the City on a long term plan for the park development, including parking, that creates harmony with Homer's Jeans needs and the users of the park.

IF your project has less than 24 parking spaces, move to **Lighting**.

If more than 24 spaces are required, 10% of the parking area must be landscaped with islands and/or dividers, plus a 10ft buffer along rights-of-way. HCC 21.50.030(f)(1)(b).

If over 24 spaces, the parking lot is _____ sf. The landscaped portion within the parking lot is _____ sf.

- Y/N The parking lot will be paved. Required in the GBD per HCC 21.22.080(b). N/A
- Y/N Is less than 50% of the parking located in the front of the building? No
- Y/N or NA. If more than 24 spaces, are treed landscaped pockets provided every 100 ft or less? N/A
- Y/N or NA. If more than 24 spaces, is the minimum 10 ft landscaped buffer provided? N/A

Parking garages. Pg 35 of the CDM.

- Y/N Does your project include a parking garage over one-story or which encloses 20 or more vehicles?
If so, Planning Commission approval is required. N/A

Lighting. Should align with the Lighting Plan. Pg 7,8 &35-37 of the CDM and HCC 21.59.020.

Describe the light fixtures, height, their purpose, lighting direction and visual appearance.
See attached lighting description

- Y/N Is light source hidden from public view? Yes
- Y/N Does your lighting avoid excess light throw beyond the pedestrians and/or vehicles area? Yes
- Y/N Does your project avoid mounting outside light fixtures above 15 feet? Yes
- Y/N Does your project avoid parking lot luminaires that are above 28 feet? Yes
- Y/N Does your plan avoid bright lighting on outdoor surfaces of buildings? Yes
- Y/N Does your plan avoid colored lighting on buildings? Yes
- Y/N Does your plan avoid utility lighting? Yes
- Y/N Does your plan avoid lit accents, canopies, color bars, stripes? Yes

Outdoor furnishings. Pg 37-38 of the CDM.

Describe the outdoor furnishings, their location, type, style, manufacturer, series, and color. If in the right-of-way, approval by Public Works and the Planning Commission is required. There are a variety of options for outdoor furnishings. The owner proposes to replace the existing dilapidated bench along the sidewalk adjacent to Pioneer Ave.

- Y/N or NA Are the outdoor furnishings a commercial grade designed for heavy public use? N/A



Like

Image

Send



Via Annamaria T

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5/1/14, 1:10 PM



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LEE DRIVE 60' R/W

FOUND 2" A.C.
7968-S 2000

10' BLDG SET BACK LINE

77.5'

1.6'

25.4'

EXISTING BUILDING
(4701 S.F.)

30.0'

11.0'

LOT 9-A

LOT 1-A

8.0'

49.6'

25'

8 SPACES
9'X19'

FND 2" A.C.
7968-S
2000

DRAINAGE LINE

60.2'

40'X20'
PROPOSED ADDITION
(863 S.F.)

3.5'X18'
5'X25' CONCRETE

LOT 8-A

88.5'

SIGN POST

FOUND No. 5
REBAR

ADA PARKING
ACCESSIBLE

PARKING LOT

20' BLDG SET BACK LINE

26' WIDE
DRIVEWAY
ENTRANCE

N 22°43'30" W
PLAT #75-18 HRD
BASIS OF BEARINGS
(RECORD)

TOP OF DRAINAGE DITCH

5' WIDE GRAVEL PATH

6 SPACES
9'X19'

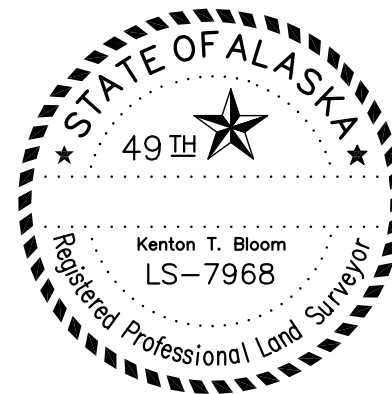
CONCRETE PAD

EDGE OF PAVEMENT / FACE OF CURB

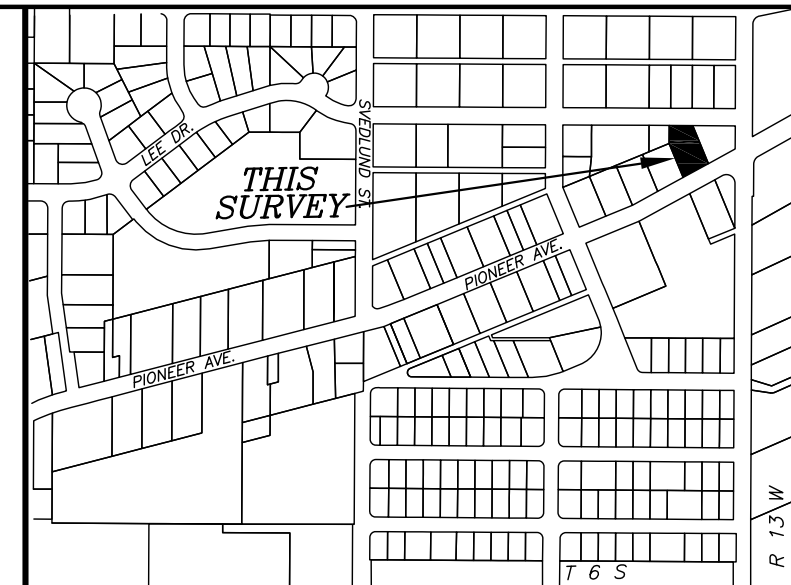
PIONEER AVE 60' R/W

FOUND 2" A.C.
7968-S 2000

43



SCALE 1" = 20'



VICINITY MAP

SCALE: 1" = 1000' U.S.G.S. QUAD. SELDOVIA (C-4 & C-5)

RECEIVED

04/30/2014

CITY OF HOMER
PLANNING/ZONING

GLACIER VIEW SUBDIVISION LOT 8-A SITE PLAN

EXISTING SITE CONDITIONS WITH TOPOGRAPHY AND
ASBUILT LOCATIONS OF IMPROVEMENTS OVERLAID WITH
PROPOSED NEW SITE PLAN INCLUDING BUILDING
ADDITIONS, PARKING, LANDSCAPING, INGRESS AND EGRESS
AND SITE DRAINAGE IMPROVEMENTS

CONTAINING 0.3728 ACRES MORE OR LESS

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: D.H. CHKD BY: KB JOB #14-05

DATE: 3/26/2014 SCALE: 1"=20' SHEET #1 OF 1

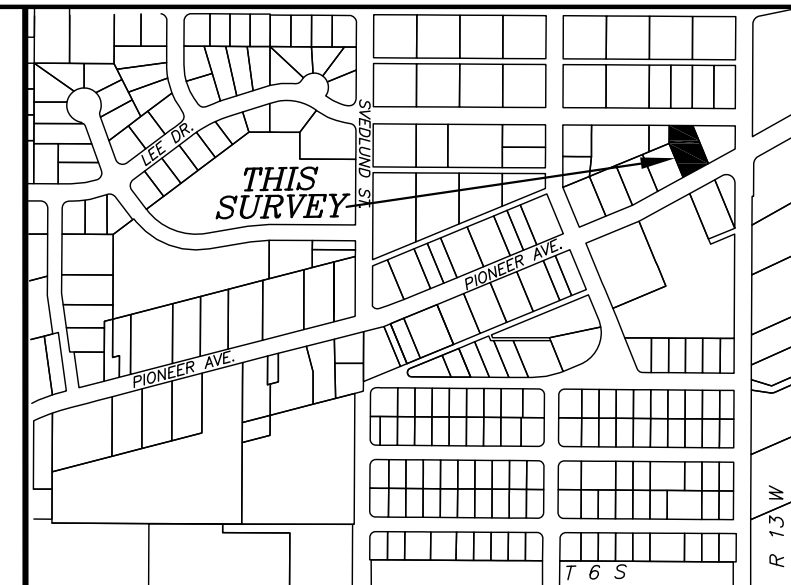
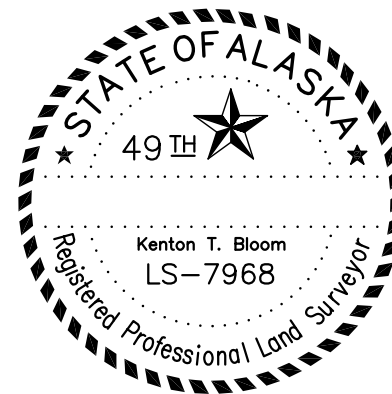
LEE DRIVE 60' R/W

FOUND 2" A.C. 7968-S 2000

DUMPSTER

77.5'

6'x27.5' TIMBER STEPS (PUBLIC ACCESS)

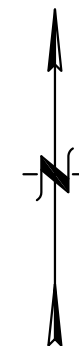


VICINITY MAP

SCALE: 1" = 1000' U.S.G.S. QUAD. SELDOVIA (C-4 & C-5)

EXISTING BUILDING (4701 S.F.)

LOT 9-A (WKFL PARK)



SCALE 1" = 20'

RECEIVED

04/30/2014

CITY OF HOMER PLANNING/ZONING

LOT 1-A

FND 2" A.C. 7968-S 2000

DRAINAGE LINE

40'X20' PROPOSED ADDITION (863 S.F.)

8 SPACES 9'X19'

3.5'X18' CONCRETE
5'X25' CONCRETE

LOT 8-A

LIGHT (TYP)

SIGN POST

FOUND No. 5 REBAR

ADA PARKING ACCESSIBLE

PARKING LOT

5' WIDE GRAVEL PATH

6 SPACES 9'X19'

26' WIDE DRIVEWAY ENTRANCE

EDGE OF PAVEMENT / FACE OF CURB

PIONEER AVE 60' R/W

SIDEWALK

VAULT

BASIS OF BEARINGS
N 22°43'30" W 128.68' (RECORD)
PLAT #75-18 HRD 424.5'

FOUND 2" A.C. 7968-S 2000

GLACIER VIEW SUBDIVISION LOT 8-A SITE PLAN

EXISTING SITE CONDITIONS WITH TOPOGRAPHY AND ASBUILT LOCATIONS OF IMPROVEMENTS OVERLAID WITH PROPOSED NEW SITE PLAN INCLUDING BUILDING ADDITIONS, PARKING, LANDSCAPING, INGRESS AND EGRESS AND SITE DRAINAGE IMPROVEMENTS

CONTAINING 0.3728 ACRES MORE OR LESS

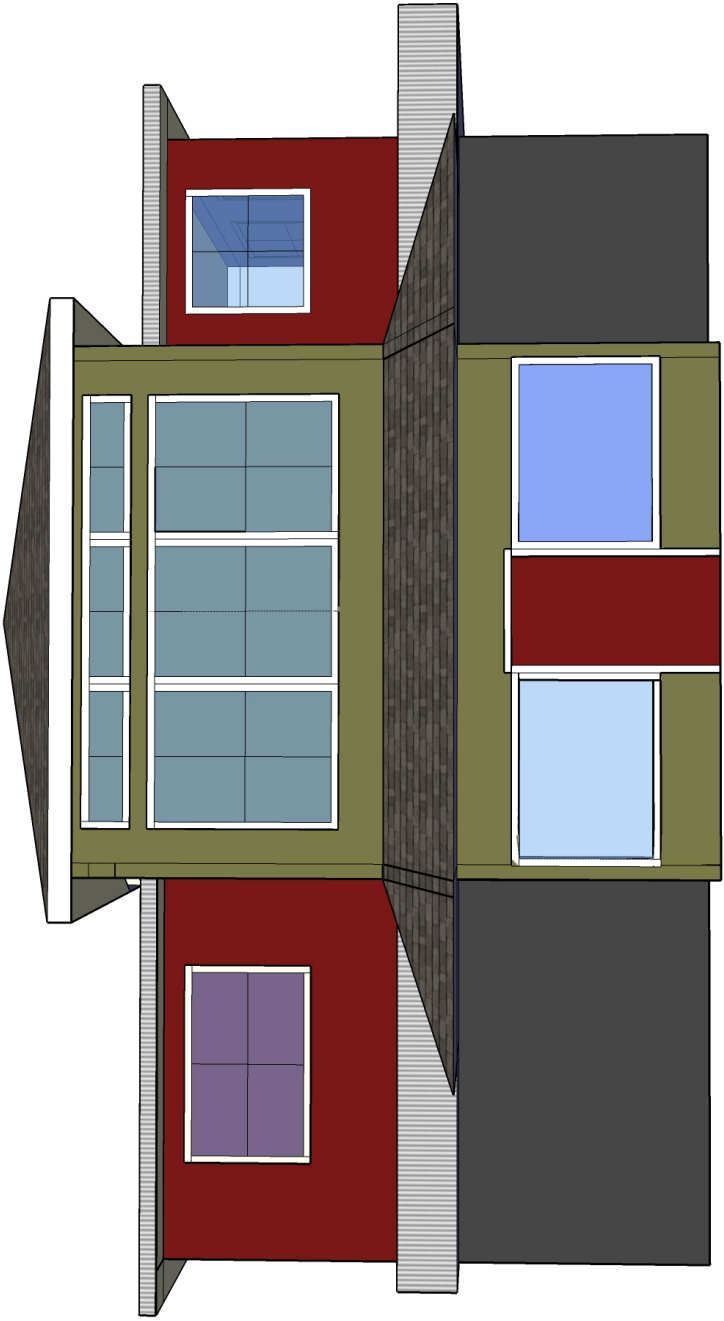
SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: D.H. CHKD BY: KB JOB #14-05

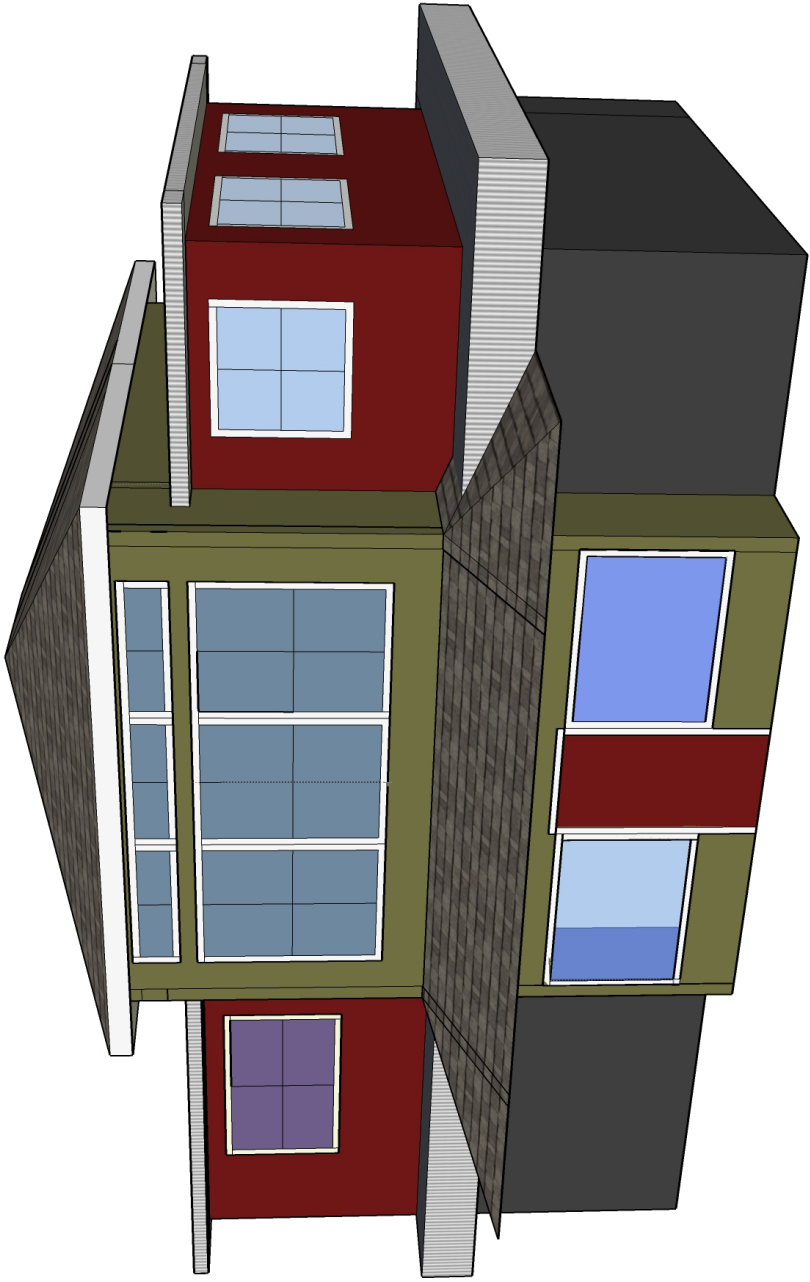
DATE: 3/26/2014 SCALE: 1"=20' SHEET #1 OF 1

SOUTH ELEVATION



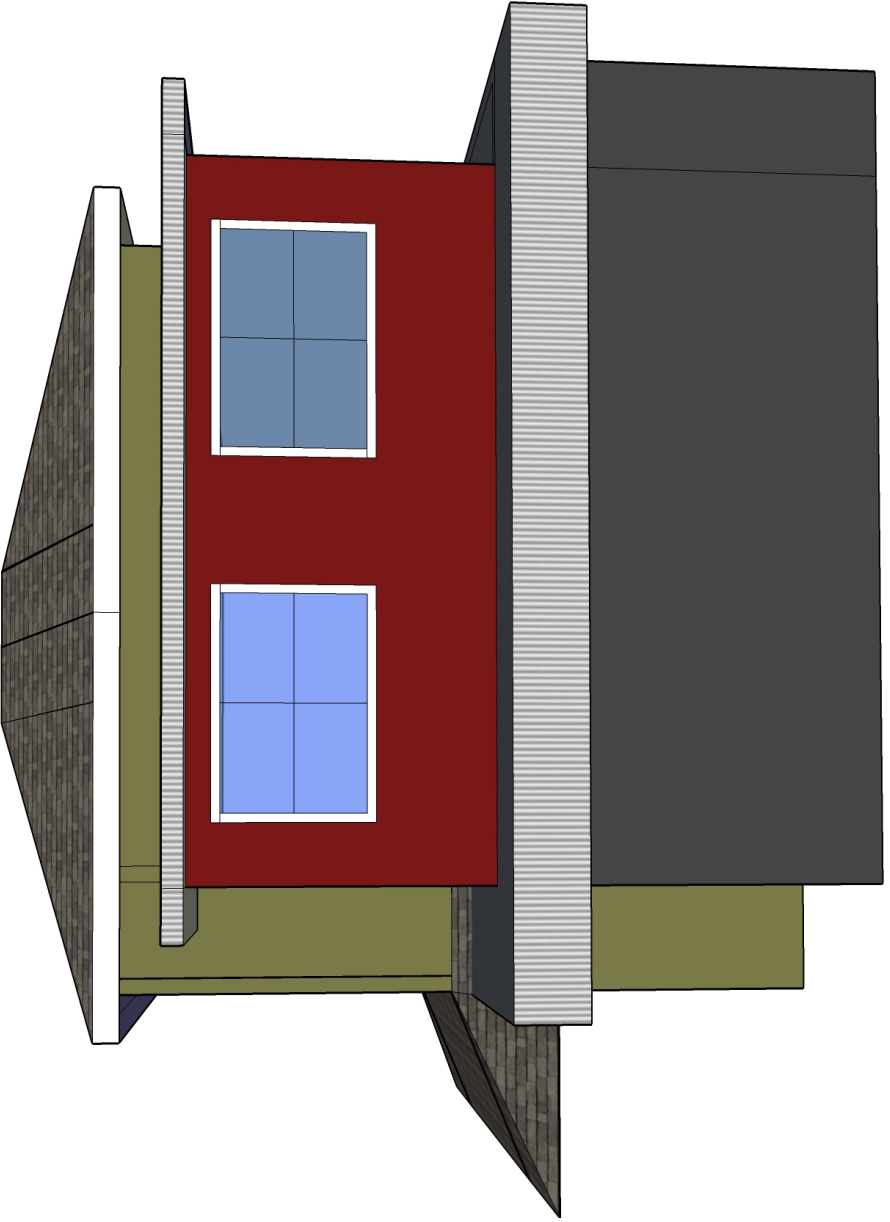
RECEIVED
04/30/2014
CITY OF HOMER
PLANNING/ZONING

PERSPECTIVE VIEW



RECEIVED
04/30/2014
CITY OF HONOLULU
PLANNING/CDMG

EAST ELEVATION



RECEIVED
04/30/2014
CITY OF HOMER
PLANNING/ZONING

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, May 21, 2014 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska on the following matter:

Conditional Use Permit (CUP) 2014-07 is a request for a reduction of the 20 ft. building setback from Lee Dr. at 564 E Pioneer Avenue as required by HCC 21.18.040(b)(4). The proposal addresses the existing building which encroaches 7.5 feet into the 20 ft. building setback. Approval of the CUP would allow for the expansion of the building to add a second story. Legal description of property: Lot 8-A Glacier View Subdivision No. 1 Replat of lots 1, 8 and 9, Block 4 SEC 20 T6S R13W S.M.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown at the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY.

Vicinity Map on Reverse

Vicinity Map

E. FAIRVIEW AVE.

Subject Location: 564 E. Pioneer Ave
Homer's Jeans Building
Request for reduced building setback along Lee Drive.
The existing building encroaches 7.5 feet
into the 20 foot building setback area.

LEE DR.

E. PIONEER AVE.

KLONDIKE AVE.

BONANZA AVE.

KACHEMAK WAY

KACHEMAK WAY

HEATH ST.

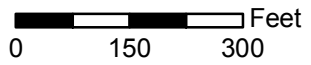
WADDELL



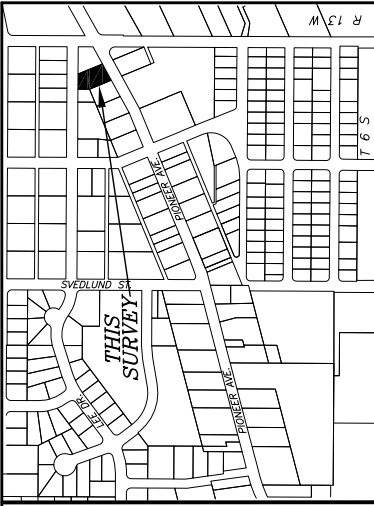
City of Homer
Planning and Zoning Department
5/7/2014

Request for CUP 2014-07

Properties within 300 feet are marked
and property owners notified.

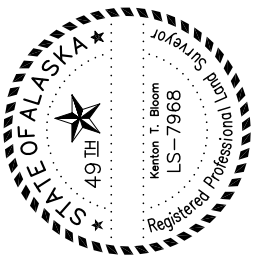


*Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.*

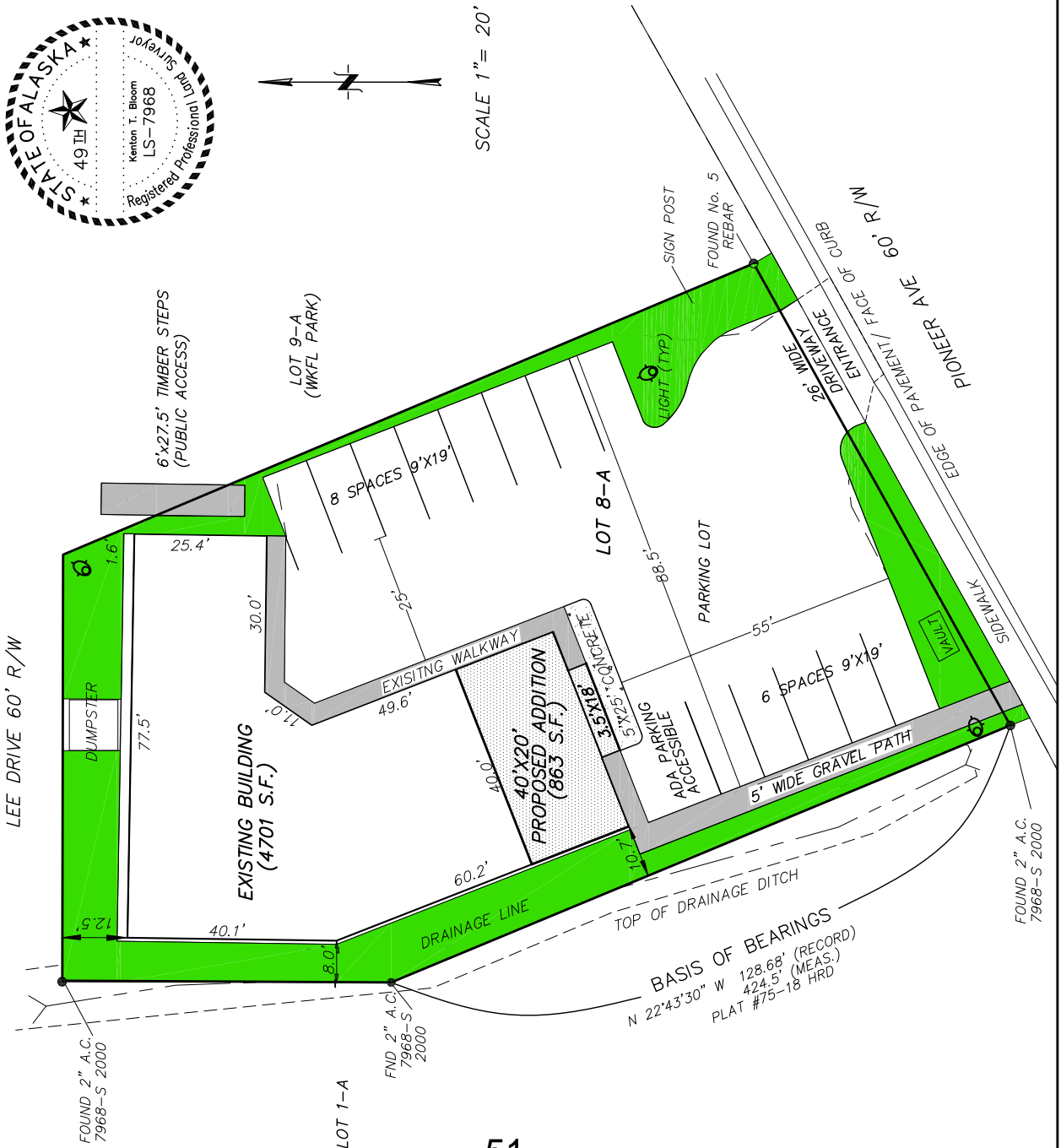


VICINITY MAP

SCALE: 1" = 1000' U.S.G.S. QUAD. SELDOVA (C-4 & C-5)



SCALE 1" = 20'



**GLACIER VIEW SUBDIVISION
LOT 8-A SITE PLAN**

EXISTING SITE CONDITIONS WITH TOPOGRAPHY AND
ASBUILT LOCATIONS OF IMPROVEMENTS OVERLAID WITH
PROPOSED NEW SITE PLAN INCLUDING BUILDING
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**SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.**

1044 EAST ROAD, SUITE A
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DRAWN BY: D.H. CHKD BY: KB

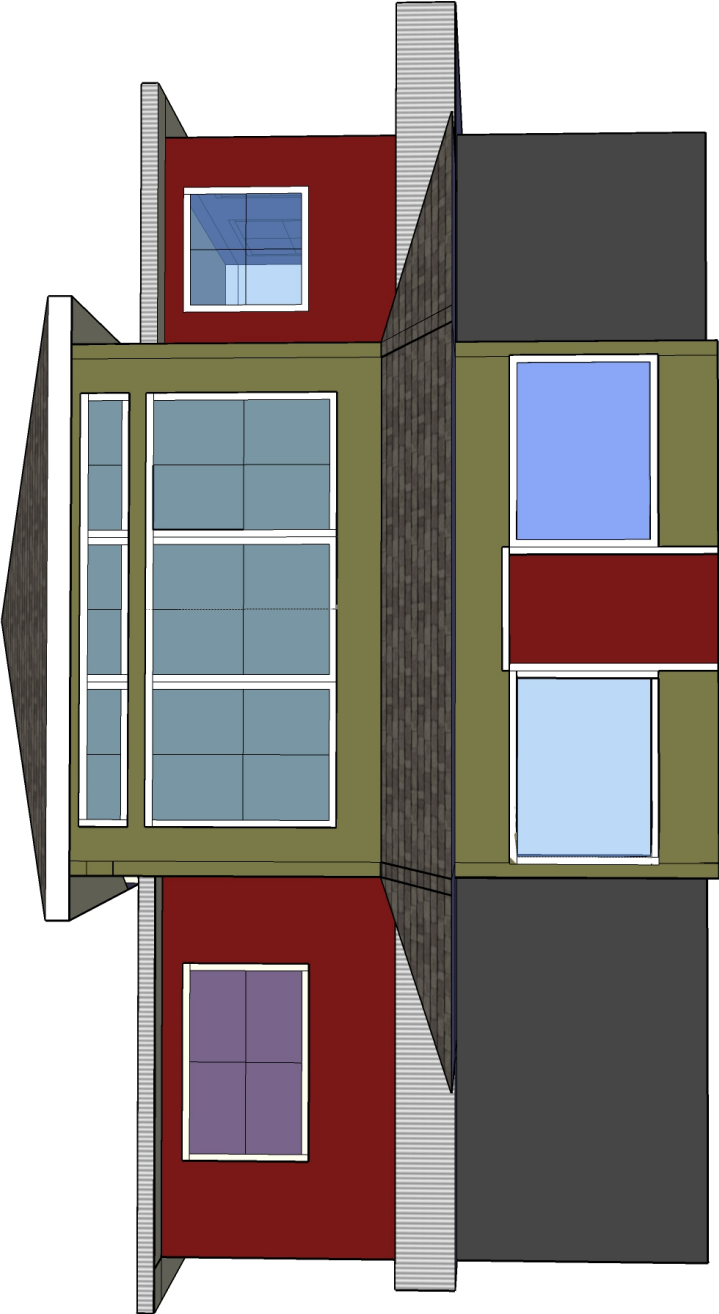
JOB #14-05

DATE: 3/26/2014

SCALE: 1"=20'

SHEET #1 OF 1

SOUTH ELEVATION



RECEIVED
04/30/2014
CITY OF HOMER
PLANNING/ZONING

Aerial Map

E. FAIRVIEW

KACHEMAK WAY

MORAWITZ ALY.

20' ALLEY

KACHEMAK

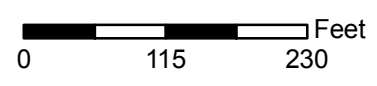
2013 Photo



City of Homer
Planning and Zoning Department

5/7/2014

Aerial Map



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564 E Pioneer Ave





564 E Pioneer Ave. WKFL Park is on the right (east). There are a few houses to the northeast, which generally look put over the park. The land directly north is vacant.



View from WKFL park (near Gazebo) looking west. See the slope of the land as it rises to the right (north) to Lee Drive.



Northeast corner of the building. Notice back fill up to about roof level. The crate to the right appears to be a recycle/storage area for cardboard.



Lee Drive looking west. Northwest corner of the building is visible on the left side of photograph.



Standing on Lee Drive looking southwest over the building roof. There is what appears to be cardboard/shipping material recycling on the right. There is a storage shed on the roof. Public access to the roof is controlled by a rope fence along the perimeter of the roof.



Northwest corner of the building, standing on Lee Drive ROW. There is a stake in the photo although staff did not verify what it was marking. There is a ditch between the road elevation, and the back of the building.



Northwest corner of the building. There is a ditch to the west that runs down between the properties.



Lee Drive looking west. There may have been a driveway on part of the road in the past. There is a sewer line within the right of way. Staff walked the right of way and it does not appear to be in use as a trail or road at this time.





City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

STAFF REPORT PL 14-45

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: May 21, 2014
SUBJECT: Ditton 2014 Replat Tract A

Requested Action: Preliminary plat approval to create two lots from one.

GENERAL INFORMATION

Applicants:	Robert & Charlene Ditton PO Box 601 Homer, AK 99603	Seabright Survey and Design Kenton Bloom 1044 East End Road, Suite A Homer Alaska 99603
Location:	North of lower section of first switchback going up West Hill	
Parcel ID:	17503008	
Size of Existing Lot(s):	5.35 acres	
Size of Proposed Lots(s):	1.426, 3.915 acres	
Zoning Designation:	Rural Residential	
Existing Land Use:	Single Family	
Surrounding Land Use:	North: Residential South: Residential East: vacant/residential West: vacant	
Comprehensive Plan:	Goal 1 Objective B: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.	
Wetland Status:	Wetlands not noted	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	
Public Notice:	Notice was sent to 40 property owners of 40 parcels as shown on the KPB tax assessor rolls.	

ANALYSIS:

This subdivision is within the Rural Residential District and creates two lots from on larger lot.. **Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
 - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - b. Legal description, location, date, and total area in acres of the proposed subdivision;
 - c. Name and address of owner and registered land surveyor;
 - d. Scale.

Staff Response: The plat does not include name and address of owner to title block.

2. North point;

Staff Response: The plat meets these requirements.

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

Staff Response: The plat meets these requirements.

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

Staff Response: The vicinity map does not display city boundary.

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the

drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

Staff Response: The plat meets these requirements.

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

Staff Response: The plat meets these requirements.

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

Staff Response: The plat meets these requirements (not applicable to this area).

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

Staff Response: The plat meets these requirements.

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

Staff Response: The plat meets these requirements.

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.

13. Identify and locate on the plat all areas in excess of 20% grade.

Staff Response: Areas in excess of 20% grade are not identified on the plat.

PUBLIC WORKS COMMENTS:

1. Provide dedication for a ¼ cul-de-sac at the end of Seascape Drive.
2. On note #5, remove last sentence “Which would interfere with the ability of the utility to use the easement”.

FIRE DEPARTMENT COMMENTS: Fire Chief Painter did not have any comments.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Add name and address of property owner(s) in title block.

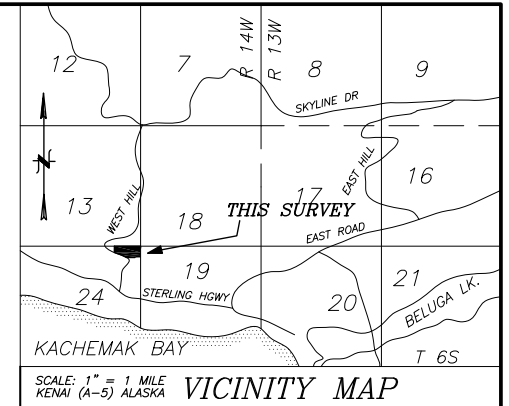
2. Depict City boundaries in vicinity map.
3. Display and label areas in excess of 20% grade on the plat.
4. Provide dedication for a ¼ cul-de-sac at the end of Seascapes Drive.
5. Remove last sentence of note #5, “which would interfere with the ability of the utility to use the easement”.

ATTACHMENTS

1. Preliminary Plat
2. Depiction of areas greater than 20% slope.
3. Vicinity Map
4. Surveyor letter

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS FROM GPS STATIC OBSERVATIONS TAKEN ON PRIMARY MONUMENTS OF RECORD AS SHOWN ON THIS DRAWING. NAD83 ALASKA STATE PLANE GRID COORDINATES OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR USC&GS TRISTATION "HOMAIR".
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING GRID COORDINATES USING USC&GS TRISTATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -1°17'13". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. TRUE COORDINATE VALUES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON N=100,000 E=100,000 AT USC&GS TRISTATION "HOMAIR".
4. BASIS OF ELEVATION FOR THIS SURVEY IS THE NGS PUBLISHED VALUE FOR USC&GS TRISTATION "HOMAIR" (EL=70.52 FEET / NAVD88 / GEOID 99). ELEVATIONS FROM GPS STATIC OBSERVATIONS HAVE BEEN ADJUSTED FROM ELLIPSOID HEIGHT TO GEOID HEIGHT DETERMINED BY GEOID99.
5. THE FRONT 15' ALONG RIGHTS-OF-WAYS IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
6. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.
7. THERE IS AN AGREEMENT FOR USE OF UNDEVELOPED RIGHT OF WAY (FOR PRIVATE DRIVEWAY ACCESS) AND FOR FUTURE ASSESSMENTS (SERIAL No. 2011-002520-0 HRD 309).
8. PORTIONS OF THE SUBJECT LOTS MAY BE SUBJECT TO WETLAND REGULATIONS. OWNERS SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY DEVELOPMENT ACTIVITY IN WETLANDS.



CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

ROBERT DITTON
PO BOX 601
HOMER, ALASKA 99603

CHARLENE DITTON
PO BOX 601
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2014.

FOR:

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPB FILE No.

DITTON 2014 REPLAT TRACT A

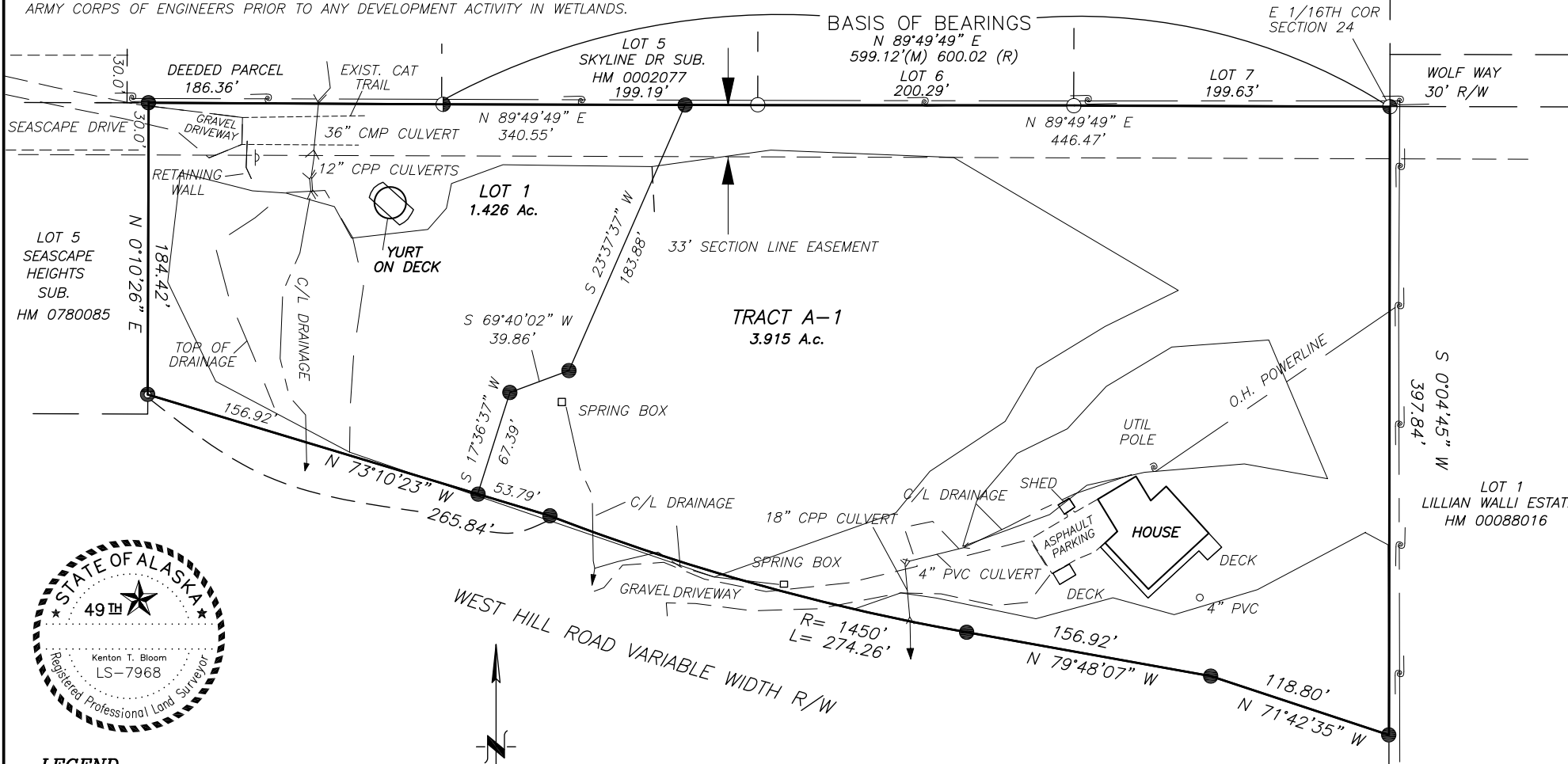
A SUBDIVISION OF ALL AND THE WHOLE OF TRACT "A" J.C. REYNOLDS PROPERTY, SECTION 13 AND 24, T6S, R14W S.M. ALASKA AND WITHIN THE CITY OF HOMER WITHIN THE KENAI PENINSULA BOROUGH THIRD JUDICIAL DISTRICT, STATE OF ALASKA RECORDED JUNE 28, 1954, PLAT No. 54-2019 HRD, EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DECLARATION OF TAKING BY STATE OF ALASKA, RECORDED JUNE 26, 1982, BOOK 129 PAGE 240

CONTAINING 5.341 ACRES MORE OR LESS

SEABRIGHT SURVEY + DESIGN KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: DH	CHKD BY: KB	JOB #14-09
DATE: 4/2014	SCALE: 1"=60'	SHEET #1 OF 2



LEGEND

- ⊕ FND 2" B.C. HNJ (268-S 1968) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR W/ 2" ALCAP (7968-S 2014) SET THIS SURVEY
- FND 1" I.P.
- ⦿ FND 5/8" REBAR
- ⦿ FND REBAR WITH ILLEGIBLE PLASTIC CAP
- ⌋ INDICATES ELECTRIC METER
- ⌋ INDICATES CULVERT
- ⌋ INDICATES UTILITY POLE AND OVERHEAD POWERLINES

SCALE 1"= 60'

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF KENAI PENINSULA BOROUGH

BY: _____ AUTHORIZED OFFICIAL

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL, THAT MEET THE REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

SIGNATURE OF SURVEYOR _____ DATE: _____

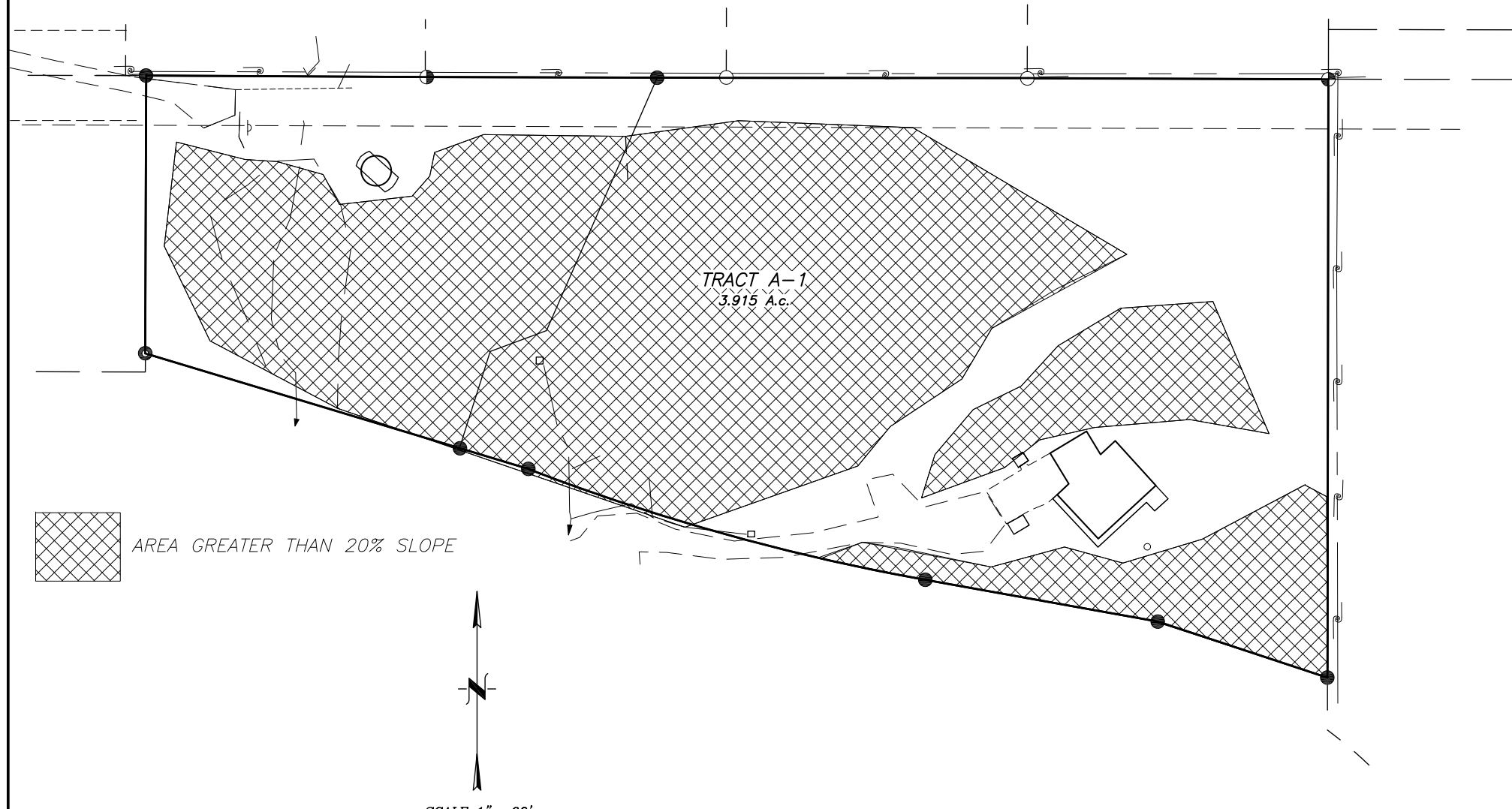
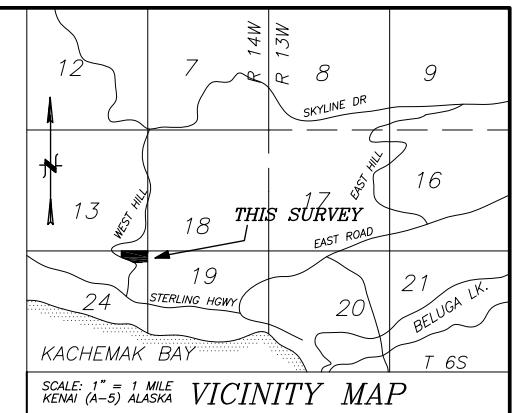
NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2014.

FOR:

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____



HOMER RECORDING DISTRICT KPB FILE No.

**DITTON 2014 REPLAT
TRACT A**

A SUBDIVISION OF ALL AND THE WHOLE OF
TRACT "A" J.C. REYNOLDS PROPERTY,
SECTION 13 AND 24, T6S, R14W S.M. ALAKSA
AND WITHIN THE CITY OF HOMER
WITHIN THE KENAI PENINSULA BOROUGH
THIRD JUDICIAL DISTRICT, STATE OF ALASKA
RECORDED JUNE 28, 1954, PLAT No.
54-2019 HRD, EXCEPTING THEREFROM
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JUNE 26, 1982, BOOK 129 PAGE 240

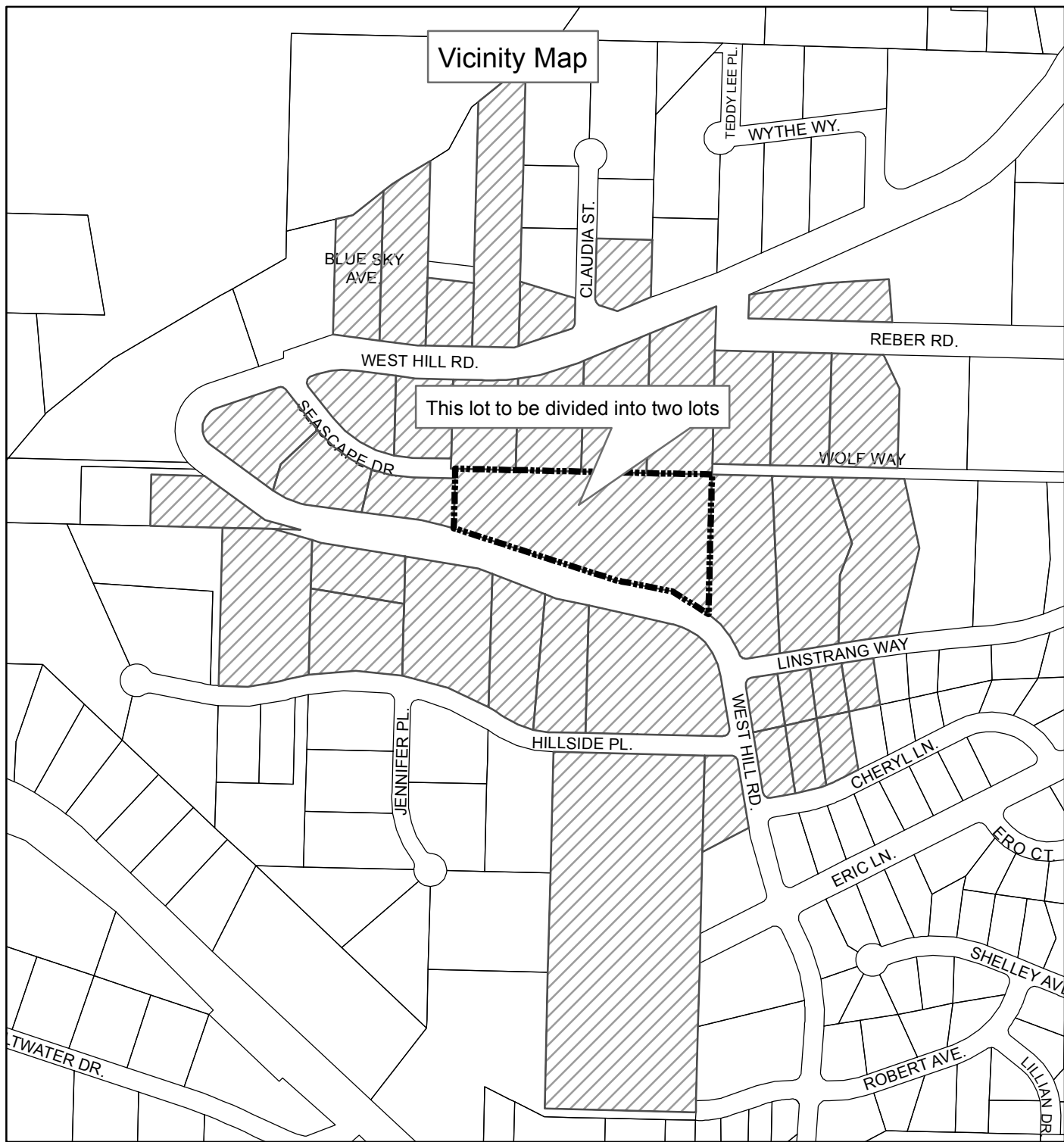
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HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: DH	CHKD BY: KB	JOB #14-09
DATE: 4/2014	SCALE: 1"=60'	SHEET #2 OF 2

Vicinity Map



This lot to be divided into two lots

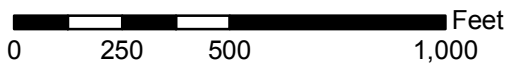


City of Homer
Planning and Zoning Department

5/7/2014

Ditton 2014 Replat Tract A
Preliminary Plat

Lots within 500 feet are marked
and property owners notified.



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SEABRIGHT SURVEY + DESIGN

Kenton Bloom, PLS

1044 East Road Suite A

Homer, Alaska 99603

(907) 235-4247 (& fax)

seabrightz@yahoo.com

May 7, 2014

City of Homer
Planning Dept.
491 E. Pioneer
Homer, Alaska 99603

RE: Ditton 2014 Replat Tract A J. C. Reynolds property

Dear Julie,

Here is the information you have requested. We have made the corrections you have asked for and will provide you revised copies of the preliminary plat.

The reason there is not a cul-de-sac at the end of Seascape Court is due to terrain limitations and the unlikelihood of a matching dedication by the adjacent property owners. The intention of this property owner is to create a viable turnaround in the area of the NW corner of the property. The existing 66' wide section line easement is sufficient to create a workable hammerhead type turnaround.

The Wolf Way dedication is basically useless to any of the property owners west of the dedication as they have access from above off of West Hill Road or below as the case may be. It is our opinion Wolf Way is never going to be utilized due to terrain limitations and that no dedication is necessary.

Cordially,

Kenton Bloom, P.L.S.
Seabright Survey + Design



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 14-46

TO: Homer Advisory Planning Commission
 THROUGH: Rick Abboud, City Planner
 FROM: Julie Engebretsen, Deputy City Planner
 DATE: May 21, 2014
 SUBJECT: Heliports

Introduction

The Commission discussed the draft ordinance at the last meeting. Staff amended the table as directed. The Commission was going to review the table one more time at the May 21st meeting. If satisfied, staff will have the attorney amend the ordinance to reflect the table. Staff will also put the ordinance on the City website, and contact local helicopter companies about the proposed changes. There will be a public hearing sometime in the fall.

Heliports	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed											X		
Not Allowed	X	X	X	X	X	X	X	X* Airport OK	X	X		X	x

Helipad	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed			X (hospital only)					X			X		X
Not Allowed	X	X		X	X	X	X		X	X		X	

Staff Recommendation:

1. Discuss the definitions, and the districts where heliports and helipads will be permitted.

Attachments

1. May 7th Draft Ordinance (not current with changes to the table)
2. Minutes excerpt of May 7th meeting

1 CITY OF HOMER
2 HOMER, ALASKA

3
4 ORDINANCE 14-__ Presented May 7, 2014
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS;
8 HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030,
9 21.24.030, 21.26.030, 21.28.030 AND 21.32.030, CONDITIONAL
10 USES AND STRUCTURES; AND HOMER CITY CODE 21.40.050,
11 PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS
12 HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A
13 CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN
14 RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL
15 COMMERCIAL 1, GENERAL COMMERCIAL 2, MARINE
16 COMMERCIAL AND OPEN SPACE – RECREATION ZONING
17 DISTRICTS; TO ADD HELIPAD AS A CONDITIONAL USE
18 ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE
19 ZONING DISTRICT AND HELIPAD AS A CONDITIONAL USE IN
20 THE GENERAL COMMERCIAL 2 ZONING DISTRICT; AND TO
21 ADD HELIPAD AS A PERMITTED USE IN THE BRIDGE CREEK
22 WATERSHED PROTECTION DISTRICT.
23

24 THE CITY OF HOMER ORDAINS:

25
26 Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad”
27 and “hospital” to read as follows:
28

29 “Helipad” means any surface where a helicopter takes off or lands, but excludes permanent
30 facilities for loading or unloading goods or passengers, or for fueling, servicing or storing
31 helicopters.
32

33 “Hospital” has the meaning given in AS 47.32.900.
34

35 Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is
36 amended to read as follows:
37

38 21.12.030 Conditional uses and structures. The following uses may be permitted in the
39 Rural Residential District when authorized by conditional use permit issued in accordance with
40 Chapter 21.71 HCC:

- 41 a. Planned unit development, limited to residential uses only;
42 b. Religious, cultural and fraternal assembly;

[Bold and underlined added. Deleted language stricken through.]

- 43 c. Cemeteries;
- 44 d. Kennels;
- 45 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on
- 46 premises;
- 47 f. Mobile home parks;
- 48 g. Public utility facilities and structures;
- 49 h. Pipelines and railroads;
- 50 ~~i. Heliports;~~
- 51 ij. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
- 52 use incidental to a permitted or conditionally permitted principal use;
- 53 ~~jk.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
- 54 ~~kl.~~ Group care home;
- 55 ~~lm.~~ Assisted living home;
- 56 mn. More than one building containing a permitted principal use on a lot;
- 57 no. Indoor recreational facilities;
- 58 op. Outdoor recreational facilities;
- 59 pq. Public school and private school;
- 60 qr. One small wind energy system having a rated capacity exceeding 10 kilowatts,
- 61 provided that it is the only wind energy system of any capacity on the lot.

62
63 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is

64 amended to read as follows:

65
66 21.14.030 Conditional uses and structures. The following uses may be permitted in the

67 Urban Residential District when authorized by conditional use permit issued in accordance

68 with Chapter 21.71 HCC:

- 69 a. Planned unit development, excluding all industrial uses;
- 70 b. Townhouse developments;
- 71 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 72 d. Religious, cultural and fraternal assembly;
- 73 e. Hospitals;
- 74 f. Pipelines and railroads;
- 75 ~~g. Heliports;~~
- 76 gh. Storage of heavy equipment or boats over 36 feet in length as an accessory use
- 77 incidental to a permitted or conditionally permitted principal use;
- 78 hi. Private stables and the keeping of larger animals not usually considered pets,
- 79 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
- 80 accessory use incidental to a primary residential use; such use shall be conditioned on not
- 81 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
- 82 on sufficient land to harbor such animals;

[Bold and underlined added. Deleted language stricken through.]

- 83 ~~ij.~~ Group care home;
84 ~~jk.~~ Assisted living home;
85 ~~kl.~~ More than one building containing a permitted principal use on a lot;
86 ~~lm.~~ Indoor recreational facilities;
87 ~~mn.~~ Outdoor recreational facilities;
88 ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
89 provided that it is the only wind energy system of any capacity on the lot.
90

91 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
92 amended to read as follows:
93

94 21.16.030 Conditional uses and structures. The following uses may be permitted in the
95 Residential Office District when authorized by conditional use permit issued in accordance with
96 Chapter 21.71 HCC:

- 97 a. Planned unit developments, excluding all industrial uses;
98 b. Townhouses;
99 c. Public or private schools;
100 d. Hospitals and medical clinics;
101 e. Public utility facilities and structures;
102 f. Mortuaries;
103 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
104 h. More than one building containing a permitted principal use on a lot;
105 i. Group care homes;
106 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
107 ~~kj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
108 provided, that it is the only wind energy system of any capacity on the lot;
109 ~~lk.~~ Other uses approved pursuant to HCC 21.04.020.
110

111 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
112 amended to read as follows:
113

114 21.18.030 Conditional uses and structures. The following uses may be permitted in the
115 Central Business District when authorized by conditional use permit issued in accordance with
116 Chapter 21.71 HCC:

- 117 a. Planned unit developments, excluding all industrial uses;
118 b. Indoor recreational facilities and outdoor recreational facilities;
119 c. Mobile home parks;
120 d. Auto fueling stations;
121 e. Public utility facilities and structures;
122 f. Pipeline and railroads;

[Bold and underlined added. Deleted language stricken through.]

- 123 ~~g. Heliports;~~
124 ~~gh. Greenhouses and garden supplies;~~
125 ~~hi. Light or custom manufacturing, repair, fabricating, and assembly, provided such~~
126 ~~use, including storage of materials, is wholly within an enclosed building;~~
127 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut a~~
128 ~~residential zoning district;~~
129 ~~jk. More than one building containing a permitted principal use on a lot;~~
130 ~~kl. Group care homes and assisted living homes;~~
131 ~~lm. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber~~
132 ~~Subdivision to Heath Street;~~
133 ~~na. One small wind energy system having a rated capacity exceeding 10 kilowatts;~~
134 ~~provided, that it is the only wind energy system of any capacity on the lot;~~
135 ~~ne. Other uses approved pursuant to HCC 21.04.020.~~
136

137 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
138 amended to read as follows:

139
140 21.24.030 Conditional uses and structures. The following uses may be permitted in the
141 General Commercial 1 District when authorized by conditional use permit issued in accordance
142 with Chapter 21.71 HCC:

- 143 a. Campgrounds;
144 b. Crematoriums;
145 c. Multiple-family dwelling;
146 d. Public utility facility or structure;
147 e. Mobile home parks;
148 f. Planned unit developments;
149 g. Townhouses;
150 h. Pipelines and railroads;
151 ~~i. Heliports;~~
152 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut an RO,~~
153 ~~RR, or UR zoning district;~~
154 ~~jk. More than one building containing a permitted principal use on a lot;~~
155 ~~kl. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
156 ~~lm. Other uses approved pursuant to HCC 21.04.020;~~
157 ~~ma. Indoor recreational facilities;~~
158 ~~ne. Outdoor recreational facilities.~~
159

160 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
161 amended to read as follows:
162

[Bold and underlined added. Deleted language stricken through.]

163
164 21.26.030 Conditional uses and structures. The following uses may be permitted in the
165 General Commercial 2 District when authorized by conditional use permit issued in accordance
166 with Chapter 21.71 HCC

- 167 a. Planned unit development, excluding all industrial uses;
168 b. Townhouse developments;
169 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
170 d. Religious, cultural and fraternal assembly;
171 e. Hospitals;
172 f. Pipelines and railroads;
173 ~~g. Heliports;~~
174 ~~gh.~~ Storage of heavy equipment or boats over 36 feet in length as an accessory use
175 incidental to a permitted or conditionally permitted principal use;
176 ~~hi.~~ Private stables and the keeping of larger animals not usually considered pets,
177 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
178 accessory use incidental to a primary residential use; such use shall be conditioned on not
179 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
180 on sufficient land to harbor such animals;
181 ~~ij.~~ Group care home;
182 ~~jk.~~ Assisted living home;
183 ~~kl.~~ More than one building containing a permitted principal use on a lot;
184 ~~lm.~~ Indoor recreational facilities;
185 ~~mn.~~ Outdoor recreational facilities;
186 ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
187 provided, that it is the only wind energy system of any capacity on the lot;
188 o. Helipads.

189
190 Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
191 amended to read as follows:

192
193 21.28.030 Conditional uses and structures. The following uses may be permitted in the
194 Marine Commercial District when authorized by conditional use permit issued in accordance
195 with Chapter 21.71 HCC:

- 196 a. Drinking establishments;
197 b. Public utility facilities and structures;
198 ~~c. Heliports;~~
199 ~~cd.~~ Hotels and motels;
200 ~~de.~~ Lodging;
201 ~~ef.~~ More than one building containing a permitted principal use on a lot;
202 ~~fg.~~ Planned unit developments, limited to water-dependent and water-related uses,

[Bold and underlined added. Deleted language stricken through.]

- 203 with no dwelling units except as permitted by HCC 21.28.020(o);
204 **gh.** Indoor recreational facilities;
205 **hi.** Outdoor recreational facilities;
206 **ij.** The location of a building within a setback area required by HCC 21.28.040(b). In
207 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
208 must meet the following standards:
209 1. Not have a greater negative effect on the value of the adjoining property than
210 a building located outside the setback area; and
211 2. Have a design that is compatible with that of the structures on the adjoining
212 property.

213
214 Section 9. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation),
215 is amended to read as follows:
216

217 21.32.030 Conditional uses and structures. The following uses may be conditionally
218 permitted in the Open Space – Recreation District when authorized by conditional use permit
219 issued in accordance with Chapter 21.71 HCC:

- 220 a. Public utility facilities and structures;
221 b. Any structures used for uses permitted outright in the district;
222 c. Fishing gear and boat storage;
223 d. Campgrounds;
224 e. Pipelines and railroads;
225 f. Parking areas;
226 ~~g. Heliports;~~
227 **gh.** Other open space and recreation uses;
228 **hi.** Indoor recreational facilities;
229 **ij.** Outdoor recreational facilities.

230
231 Section 10. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed
232 Protection District), is amended to read as follows:
233

234 21.40.050 Permitted uses and structures. The following uses and structures are
235 permitted outright in the BCWP district, except when such use or structure requires a
236 conditional use permit by reason of its nature, size or other reasons set forth in this chapter.
237 Permitted uses and structures remain subject to all applicable provisions of this chapter:

- 238 a. Single-family dwelling;
239 b. Duplex dwelling;
240 c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);
241 d. Public parks and playgrounds;
242 e. Rooming houses or bed and breakfast establishments;

[Bold and underlined added. Deleted language stricken through.]

- 243 f. Storage of personal commercial fishing gear in a safe and orderly manner;
- 244 g. Private storage in yards, in a safe and orderly manner, of equipment, including
- 245 trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical
- 246 and operable condition, and if subject to licensing, currently able to meet licensing
- 247 requirements; and further provided, that the stored items do not create impervious cover in
- 248 excess of the limits in HCC 21.40.070;
- 249 h. Other customary accessory uses incidental to any of the principal permitted uses
- 250 listed in the BCWP district, such as limited personal use gardening as described in HCC
- 251 21.40.090(c);
- 252 i. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
- 253 j. Mobile homes, subject to the requirements set forth in HCC 21.54.100;
- 254 k. Day care homes;
- 255 l. Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90
- 256 days' occupancy per vehicle in any calendar year;
- 257 m. Religious, cultural, and fraternal assembly;
- 258 n. Public schools and private schools;
- 259 o. Day care facilities;
- 260 p. Ministorage;
- 261 q. As an accessory use, one small wind energy system per lot having a rated capacity
- 262 not exceeding 10 kilowatts;
- 263 **r. Helipads.**

264
265 Section 11. This Ordinance is of a permanent and general character and shall be
266 included in the City Code.

267
268 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
269 _____ 2014.

270
271 CITY OF HOMER

272
273
274 _____
275 MARY E. WYTHE, MAYOR

276
277 ATTEST:

278
279
280 _____
281 JO JOHNSON, CMC, CITY CLERK

282
[**Bold and underlined added.** Deleted language stricken through.]

283 YES:
284 NO:
285 ABSTAIN:
286 ABSENT:
287
288 First Reading:
289 Public Hearing:
290 Second Reading:
291 Effective Date:

292
293 Reviewed and approved as to form:

294
295
296 _____
297 Walt E. Wrede, City Manager
298 Date: _____

Thomas F. Klinkner, City Attorney
Date: _____

DRAFT

[Bold and underlined added. Deleted language stricken through.]

STEAD/BOS - MOVED TO ADOPT STAFF REPORT PL 14-40 AND APPROVE BARNETT SUBDIVISION, QUIET CREEK ADDITION 2014 PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

Discussion regarding written documentation from the property owner.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 14-42, Draft Ordinance 14-XX Amending Homer City Code 21.03.040 Definitions to include "Hospital" and "Helipad" and redefining where heliports and helipads are permitted.

Deputy City Planner Engebretsen provided a summary of the staff report.

Discussion ensued regarding the commission's previous action on this ordinance.

HIGHLAND/- MOVED THAT THE COMMISSION ONLY ALLOW HELIPORTS IN THE AIRPORT AREA AND THAT HELIPADS ARE ONLY ALLOWED AT THE AIRPORT.

The motion died for lack of a second.

Discussion ensued on allowing heliports and helipads in Marine Industrial; the difference between a heliport and helipad; locations on the spit zoned Marine Industrial; previous lessons learned; a Conditional Use Permit is required;

ERICKSON/HIGHLAND - MOVED THAT HELIPAD IS ALLOWED WITH A CUP IN MARINE INDUSTRIAL AND HELIPORTS ARE NOT ALLOWED IN MARINE INDUSTRIAL.

Further discussion ensued on allowing helipads or heliports on the spit.

VOTE. NO. BOS, HIGHLAND, VENUTI, STROOZAS

VOTE. YES. ERICKSON, STEAD

Motion failed.

STEAD/ERICKSON - MOVED THAT HELIPADS BE ALLOWED IN MARINE INDUSTRIAL WITH A CUP.

There was a brief discussion on supporting points for allowing a helipad would be consistent if a heliport is already allowed.

VOTE. YES. ERICKSON, STEAD, VENUTI, STROOZAS, BOS

VOTE. NO. HIGHLAND.

Motion carried.

HIGHLAND/BOS - MOVED TO CHANGE HELIPADS BEING PERMITTED OUTRIGHT IN THE BRIDGE CREEK WATER PROTECTION (BCWP) TO REQUIRE A CUP FOR HELIPADS.

There was a discussion on the pros and cons to allowing helipads by CUP process only.

VOTE. NO. STEAD, STROOZAS.

VOTE. YES. VENUTI, HIGHLAND, BOS, ERICKSON.

Motion carried.

Staff explained the table for GC2 that Heliports are permitted outright at the airport and that helipads are allowed only by CUP process for GC2.

Commissioners requested the following changes:

- under the RO Helipads CUP needed insert Hospital.
- remove the permitted outright from the table for Helipad
- remove the permitted outright from the table for Heliports and include an explanation for the airport

NEW BUSINESS

A. Staff Report PL 14-41, Draft Ordinance 14-XX Amending Homer City Code 21.60.060 Table 3 Permitted Sign Characteristics by Zoning District to permit Changeable Copy and Internally Illuminated signs in the Gateway Business District

Staff reviewed the report. Recommendation to allow changeable copy signage and discuss allowing internally lit signage at this meeting.

A lengthy discussion was entertained on the pros and cons of changeable copy and whether the signage was internally lit or externally lit. Staff requested the commission come to consensus on what they would like to see and then the public can weigh in on the guidelines as presented. Currently signage that is externally lit is allowed.

Staff stated that the commission initiated an ordinance. This item can be postponed and discussed later. They can vote on it. The commissioners can recommend no changes be made and Council will make the final decisions.

Staff confirmed any commissioner can initiate a zoning ordinance referencing HCC 21.95.010. The next step is a public hearing held by the commission; the commission will then submit a recommendation to City Council will make the final decision.

Further discussion covered allowing permanent changeable copy signs on private property in the gateway business district, urban residential, rural residential and residential office districts; adding the word "permanent"; adding portable signs not permitted.

Staff summarized the recommendations of the commission and stated this would be back before the commission in June.



City of Homer

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Staff Report PL 14-47

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 21, 2014
SUBJECT: Draft Ordinance on "Towers"

Introduction

Council referred Ordinance 14-18(A) to the HAPC on 4/28/14. The ordinance defines "Communications tower," and amended the Wind Energy System of code to include communication towers. Council further amended the ordinance to state "Towers" not just communication towers, however they may be defined.

Analysis

Staff has already begun receiving comment from the public about towers. This is a highly technical subject, and really needs the guidance of a professional qualified to discuss federal law, and tower construction standards. Fortunately, Homer is not the only Alaskan community grappling with this issue.

Staff recommends we outline the process of how this ordinance will be crafted. Usually, staff and the attorney draft an ordinance with HAPC oversight. For towers, this could take a really long time, and probably take a lot of attorney time (expense) because none of us has expertise in this field. I don't think this will result in a good ordinance for Homer.

Some options for a new ordinance:

1. Do nothing
2. Draft in house/with attorney
3. Form a task force
4. Hire a consultant to write it for us
5. Enter into a term contract with a consultant. The consultant provides the ordinance drafting for free, in exchange for a term contract to review all new tower applications in a time frame (like 3 years). This is similar to how we deal with traffic impact analysis, or term engineering contracts. We already have at least one consultant knocking on our door.
6. ???

Staff recommendation

1. Staff research what regulations other Alaskan communities have, and how they arrived at those rules. What were the pros and cons of the process, and the resulting regulations? We can speak with those communities and see what works and what doesn't.
 - Kenai and Soldotna have cell tower regulations.
 - Mat-Su Borough recently had a task force.
 - Juneau has a tower moratorium and new ordinance in front of its assembly.
2. Present the information and options to the City Council and HAPC, via memo. Staff would provide a recommendation on how to proceed. The HAPC and CC could discuss this at a work session and provide staff direction. If the decision is to hire a consultant, the budget will need to be amended.
3. If the HAPC agrees with this approach, staff will start researching with the goal of a complete memo for the June 18th meeting.



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Staff Report 14-48

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: May 21, 2014
SUBJECT: Farmers market for CBD, GC1 and GC2 Districts

Introduction The City council introduced an ordinance to consider alternate sites for a farmers market and wishes to have the Planning Commission review and make recommendations. At the time of this staff report, I requested that a representative of the Homer Farmers Market come at our work session.

“Farmers’ market” means a location where the primary activity is the sale of goods:

- 1. Grown upon the land that the seller controls, in the case of fruits, nuts, vegetables, other plant products, or other processed agricultural products;*
- 2. Bred, raised, cultivated or collected by the seller, in the case of animal, poultry, viticulture, vermiculture, aquaculture, eggs, honey and bee products;*
- 3. Cooked, canned, preserved, or otherwise significantly treated by the seller, in the case of prepared foods; or*
- 4. Created, sewn, constructed, or otherwise fashioned from component materials by the seller.*

It is my understanding that the council wished to consider farmers market/open air business in the CBD, GC1 and GC2 Districts. The Farmers Market was the primary intent. In review of the ordinance, I found that Farmers Market is already permitted outright in the CBD and Open Air Business is permitted outright in GC1 while neither uses are found in the GC2.

What is the difference you may ask? Farmers Market is defined in code and Open Air Business is not. In this case, it is up to me to interpret Open Air Business. Generally, I find it to include all the activities of the Farmers Market and more. May things could be included, like flea markets. This being the case, I really do not find a need to add Farmers Market to the GC1 district, as I find it inclusive of Open Air Business.

After reading the Farmers Market Handbook, I find that most everything is covered in the “Farmers Market” definition, with some possible exception(s). I do not find any mention of the entertainment that is commonly found, although this could possibly be considered a “non” primary activity. Perhaps there are others?

I do see an advantage of a conditionally permitted farmers market in that conditions, such as business hours might be addressed. I am not so sure of the need to roll back the presently out-right permitted nature of the business.

So, this leaves us with consideration of the GC2 district. I am not thinking of many qualms to having a farmers market in GC2 unless it might interfere with heavier operations and be hazardous.

The City Council also asked that I research what was done in Anchorage:

Farmers Market

a. Definition

An occasional, periodic, or seasonal market for offering for sale fresh agricultural, fresh food, or arts and crafts products directly to the consumer at an open-air market, covered structure with multiple stalls, or other pre-designated area, where the vendors are generally individuals who have raised the produce or made the product, or have taken the same on consignment for retail sale.

Farmers Market is a permitted use in all commercial and industrial districts except RO and MI, while also permitted in PLI (Public Lands and Institutions).

Review: Give consideration to the allowance of Farmers Market in CBD, GC1, and GC2. Also review definition of “Farmers Market”.

Staff Recommendation: Schedule a public hearing and discuss possible amendment to the ordinance and clearly document the reasoning for the Planning Commission’s recommendation on the record.

Attachments:

1. Ordinance 14-20
2. Farmers Market Handbook

Ordinance Details

CITY OF HOMER

ORDINANCE 14-20

Roberts

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING HOMER CITY CODE 21.18.030, CONDITIONAL USES AND STRUCTURES, 21.24.030, CONDITIONAL USES AND STRUCTURES, AND 21.26.030, CONDITIONAL USES AND STRUCTURES, TO ADD FARMERS' MARKET AS A CONDITIONAL USE IN THE CENTRAL BUSINESS DISTRICT, GENERAL COMMERCIAL 1 AND GENERAL COMMERCIAL 2 ZONING DISTRICTS.

WHEREAS, The Homer City Code defines a Farmers market as a location where the primary activity is the sale of goods grown upon the land of the seller; and

WHEREAS, Farmers' markets are permitted outright in the Town Center Zoning district; and

WHEREAS, Farmers' markets have become popular and necessary parts of communities nationwide; and

WHEREAS, Farmers' markets should be centrally located in relation to an area's population.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.18.030, Conditional uses and structures, is amended to read as follows:

21.18.030 Conditional uses and structures. The following uses may be permitted in the Central Business District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. Indoor recreational facilities and outdoor recreational facilities;
- c. Mobile home parks;
- d. Auto fueling stations;
- e. Public utility facilities and structures;
- f. Pipeline and railroads;

- g. Heliports;
- h. Greenhouses and garden supplies;
- i. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- j. Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;
- k. More than one building containing a permitted principal use on a lot;
- l. Group care homes and assisted living homes;
- m. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;
- n. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;

o. Farmers' markets;

- po. Other uses approved pursuant to HCC 21.04.020.

Section 2. Homer City Code 21.24.030, Conditional uses and structures, is amended to read as follows:

21.24.030 Conditional uses and structures. The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Campgrounds;
- b. Crematoriums;
- c. Multiple-family dwelling;
- d. Public utility facility or structure;
- e. Mobile home parks;
- f. Planned unit developments;
- g. Townhouses;
- h. Pipelines and railroads;

- i. Heliports;
- j. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;
- k. More than one building containing a permitted principal use on a lot;
- l. Day care facilities; provided, however, that outdoor play areas must be fenced;
- m. Other uses approved pursuant to HCC 21.04.020;
- n. Indoor recreational facilities;
- o. Outdoor recreational facilities;

p. Farmers' markets.

Section 3. Homer City Code 21.26.030, Conditional uses and structures, is amended to read as follows:

21.26.030 Conditional uses and structures. The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;

l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;

m. More than one building containing a permitted principal use on a lot;

n. Day care facilities; provided, however, that outdoor play areas must be fenced;

o. Group care homes and assisted living homes;

p. Other uses approved pursuant to HCC 21.04.020;

q. Indoor recreational facilities;

r. Outdoor recreational facilities;

s. Farmers' markets.

Section 4. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____ 2014.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

HOMER FARMERS' MARKET POLICY HANDBOOK

REVISED
MARCH 24, 2014

HOMER FARMERS' MARKET
P.O. Box 2274
Homer, Alaska 99603



For Information and Applications, visit us at:
www.homerfarmersmarket.org

Friend us on Facebook!
Sign up for our online Newsletter at the website.

Market Manager/Coordinator
(907) 299-7540
Email: manager@homerfarmersmarket.org

Market Advisory Board
Scott Miller, President
Marsha Rougely, Vice President
Rachel Lord, Secretary
Sharon Brooks, Treasurer
Janet Bacher
Paul Castellani
Christina Castellanos
Dan Dorvall
Emily Garrity
Susan Houlihan
Margo Reveil
Dawn Schneider



Policies

1. Alaska Grown/Made in Alaska

Quality Alaskan grown foods are the main emphasis of the Homer Farmers' Market (HFM). The Market will also be an outlet for other Alaskan harvested/ processed foods and nursery products. As available, Market space may be allocated to Alaskan made non-food crafts, with a priority for handcrafted items made with locally grown, harvested or wildcrafted materials. See Market Craft Standards, part A of section 11 for details.

2. Vendor Applications/Fees

All vendors must be members of the HFM. Vendors may not sell unless applications are approved and membership fees are paid. Each vendor is responsible for paying the Market space fee to the designated Market Manager before each Market day. Fees are as follows:

Yearly membership fee:

\$20.00

Full Market space per season (includes Saturdays & Wednesdays):

\$15.53 per week - full season payment of \$295.00 due at time of accepted application.

Market space per day (on a space available basis):

Saturdays - \$22.00 per space, includes following Wednesday Market.

Wednesday Market Only - \$10 per space, per day.

Fees are non-refundable and non-transferable. The signature page at the back of this policy book is required with all applications. There will be a \$25 late fee if full season vendors have not paid by the first scheduled market.

3. Who May Sell

Resale, solicitations and sales outside of booth space are prohibited at the Market. All items sold at the Market must be directly grown, harvested, wildcrafted, processed or crafted by the vendor, with the following exceptions: a vendor may designate a member of his or her household or a paid employee to represent them at the Market; a vendor may sell for one other vendor who is not present, but all vendors must be members. Subletting is not permitted. A Market space may be shared if approved by the Advisory Board or Market Manager. *(Homer Farmers' Market Advisory Board reserves the right to grant variances to these policies to improve the quality of the Market.)*

4. Market Location/Hours

The HFM is an open-air market located at 1211 Ocean Drive. Saturday Markets starting Memorial Day weekend and continue through the fall. The Annual Harvest Party will be the last Saturday in September. Mid-week Markets start the first Wednesday of July.

Saturdays - 10:00 a.m. to 3:00 p.m.

Wednesdays - 3:00 p.m. to 6:00 p.m.

Vendors may not begin selling before the Market opens. The Market Manager will announce the opening of the Market.

5. Space Selection

The Market has a limited number of spaces. Vendors who prepay for the season by the annual meeting and have been accepted by the Board as full season vendors will be assigned a space for the season.

6. Vendor Expectations

- Attend weekly Markets.

- Inform Market Manager by Thursday 5:00 p.m. if unable to attend Saturday Market.
- Vendor space may be reassigned after 9:30 a.m. Saturday morning if Market Manager is not notified of late arrival.

6. Vendor Expectations - Continued

- Available vendor spaces will be assigned by Market Manager.
- Vendors interested in Saturday Market space must call Market Manager by 5:00 p.m. Thursday. *(Failure to abide by policies may result in loss of full season status)*

7. Vendor Set-Up/Clean-Up

Set-Up – Setup may begin at 8:30 a.m. for Saturday Market and is to be completed before the Market opens. Each vendor is responsible for his or her own method of display. No vehicles may be driven in the Market area between 10:00 a.m. and 3:00 p.m.

- Maximum booth size is 10 feet wide.
- Shelters, if used, should be sturdy, weighted against wind and aesthetically pleasing.
- Booths have a height restriction of 10 feet tall.
- Tailgate sales are permitted in available spaces.
- All food items must be displayed at least six inches above ground.
- The Market Manager may request that questionable shelters be removed.

Clean-Up – Vendors must have Market Manager approval to break their spaces down before the close of the Market. Clean up should be completed one hour after Market closes. All vendors are responsible for cleaning their space, including trash and plant debris, and must take their debris with them. If this is not done to the satisfaction of the Market Manager, after an initial warning, the vendor will be fined \$25.00 per violation. Failure to clean up may result in exclusion from the Market.

All sun/rain shelters must be removed two (2) weeks after vendor's last Market or face a fine of \$50 and/or exclusion of future Markets.

8. Pricing/Sales

All items must be clearly labeled with prices. This may be done by individually tagging items or containers of an item, or by listing all items and prices on a sign.

Scales used at the Market must be legal for trade.

9. Organic Labeling

To be fair to all vendors, the Market Board is asking that no one use "organic" in their name, labeling or marketing. It is illegal for those who make over \$5000 a year to use the word without being certified organic (a very costly process), so it leaves them at a disadvantage and misleads consumers. The Info Booth at the front will have information for consumers to explain all this. Feel free to explain details such as "Alaska Naturally Grown Certified: or "no pesticides" or "all natural" or "grown with ..." or whatever. That's the benefit of a farmers market - customers can get to know their farmer and their food!

10. Quality/Inspections

The HFM strives to provide a market place where wholesome, high quality products are sold by the grower/producer. Vendors are expected to bring only high quality products to Market. In order to insure the integrity of the Market, vendors must give permission for the Market Manager or other Market representatives to visit a vendor's land or place of business for reasonable inspection of production or processing facilities.

The State of Alaska Environmental Health Officer (DEC) inspects the Market each season. Every vendor selling or offering prepared food for consumption by the general public must have proper DEC permitting and proof of liability insurance displayed at that booth.

The Market Advisory Board also reserves the right to prohibit products with objectionable images, messages, or product implications being sold at the Market.

11. Non-Food Crafts

HFM is chartered to promote local agriculture and, as such, is not primarily a crafter's market. Market space may be allocated to locally produced crafts on a space available basis, not to exceed 30% during the main harvest season. HFM recognizes the importance of value-added craft products to the local market economy and will attempt to accommodate crafters when possible, while working to maintain an overall focus on agriculture products.

- A. **Homer Farmers' Market Craft Standards** – In allocating space at the Market, priority is given to crafts that best meet the following standards. “Ideal” crafts are given top priority followed by “acceptable” and last, “discouraged”.
- IDEAL – Handcrafted at least partially from locally obtained recycled or renewable materials. Utilizes local wildcrafted or farm products. *High quality, creative, unique at the Market.*
 - ACCEPTABLE – Handcrafted from imported, purchased or non-renewable materials when comparable locally obtained recycled or renewable materials are not available. Locally produced items such as photographs or music CD's. *High quality, creative.*
 - DISCOURAGED – Made from imported, purchased or non-renewable materials when comparable locally obtained recycled or renewable materials are available. *Poor quality, similar to other crafts at the Market.*
 - UNACCEPTABLE – Assembled from kits or pre-made components.
- B. Craft applications for full season consideration must be received by the annual meeting held in January. The Market Advisory Board will meet to evaluate craft vendor applications. Vendors will be asked to show samples of their crafts. Craft vendors will be notified by March 31st of the Board's decision. At that time, if accepted as a full season crafter, the annual membership fee and the full-season Market space fee will be due. Vendors who have not been accepted for the full season may be allotted Market spaces on a weekly space available basis -- if their products meet Market Craft Standards. These weekly space available vendors will pay the Market Manager the weekly fee for each market attended.

12. Food Vendor Standards

Priority is given to applicants whose business is locally owned and who uses products from participating farms, processes the product themselves, and who highlight regional ingredients. All applications must list all product to be vended. Adding product to application after the start of the market must be approved by market management. Food vendors will need to review policy numbers 10 and 14 in this Handbook before applying. Use of generators is discouraged and must be pre-approved by Market management.

- IDEAL – Homemade, handcrafted or wildcrafted ingredients from locally obtained food sources such as Farmers' Market produce or Alaskan meat or seafood. Quality value added product using ingredients from Farmer's Market vendors.
- ACCEPTABLE – Homemade products crafted by vendor with minimal store bought ingredients.
- UNACCEPTABLE – Sale of store bought products such as candy, soda or bag chips.

13. Food Vendors Also Selling Crafts

Food vendors may also sell non-food crafts. Crafts may not exceed 30% of booth space and must be approved by the Market Manager or the Board prior to setup. If crafts exceed 30% of booth space, a vendor will be considered a crafter.

14. Baked Goods/Grain Products

A DEC approved kitchen is not required for the preparation of baked goods including pastries, cookies, muffins, breads, pies and granolas. This does not include items that require refrigeration like cream pies, cheese cake, or items with all meats including fish and poultry. All vendors must be familiar with and follow all aspects of DEC regulations. These regulations (Statute 18 AAC 31.012) can be found at: <http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2031.pdf>.

Some highlights:

- The individual who makes the food must be the one who sells it directly to consumers.
- DEC requires that vendors put either on a visible placard or on the label of items the statement “THESE PRODUCTS ARE NOT SUBJECT TO STATE INSPECTION” as well as the vendor’s physical address and telephone number or vendor’s business license number (the Market will provide such a placard).
- In regards to foods like pickles or sauerkraut, refer to DEC regulations for the requirements for testing before selling at the Market.

Specific to the Homer Farmers Market:

- Vendors must prepare baked goods locally from raw ingredients. No commercial mixes or pre-made ingredients are allowed. When available, fruits or vegetables used in baked goods should come from local growers.
- Vendors of baked goods are required to sell items individually wrapped or kept covered and not handled with bare hands. For example: tongs, napkins, or wax paper may be used.
- Vendor must supply a list of the ingredients in the items (either on the labels or on a visible placard).
- Anyone selling food is required to provide a trash can and remove their own trash.
- Reminder: whatever the vendor has signed up to sell (whether produce or crafts), no more than 30% of their booth can be used to sell items under the other categories (such as baked goods).

15. Mushrooms and Sprouts

Wild harvested mushrooms are potentially hazardous. Vendors wishing to sell wild harvested mushrooms must contact the DEC directly regarding State regulations and are responsible for insuring the safety of their mushrooms. Sprouts are considered a potentially hazardous food by the DEC and must be produced in a DEC approved facility in order to be sold at the Market. Vendors selling either of these items must provide a copy of their DEC certification and proof of liability insurance to the Market Manager.

16. Processed or Dried Foods

Preserves, jams and jellies, honey, fruit syrups, dried herbs and teas, and herbal vinegars are exempted from DEC regulation, and may be sold without certification. Processed foods not exempted above are subject to DEC regulation. Vendors are responsible for working directly with the DEC to insure compliance with Alaska Statute 18 AAC 310 and other applicable regulations, and must provide a copy of their DEC certification and proof of liability insurance to the Market Manager.

Fruits, vegetables, and herbs used in processed foods should be primarily grown or wildcrafted by the vendor, or purchased from a local grower.

17. Fish/Seafood

The sale of fish and seafood is regulated by the Alaska Dept. of Fish & Game and the DEC. Vendors must comply with all applicable regulations and must provide the market with copies of their licenses, insurance, permits, and certificates.

Seafood sold at the market must be caught or raised (shellfish) by the vendor or brokered by a vendor whose product is locally sourced.

Priority is given to vendors whose product enhances the diversity of the market.

The total number of seafood vendors at the market will be limited, due to market demand, and at the discretion of the Market Manager and/or the Board of Directors.

18. Sign/Permits

All vendors must clearly display a sign stating their family or business name. All signs must be displayed in a safe manner. Vendors selling regulated products (DEC, USDA, ADF&G, etc.) must clearly display applicable permits or certificates on site.

19. Business Requirements/Sales Taxes

Each vendor is responsible for all aspects of sales and cash flow. Vendors must obtain a permit to collect Borough and City sales taxes, if applicable. Applications are available at Homer City Hall.

20. Parking

Vendor and customer parking spaces have been designated.

21. Restrooms

There is a portable toilet on the Market grounds for use by customers and vendors. Vendors are asked to help to keep it clean and to report any problems to the Market Manager. Vendors are reminded to use the hand washing station located next to the portable toilet.

22. Children at the Market

All children need to be supervised by a parent or guardian as the Market is not responsible for childcare. Children under 16 selling at the HFM should be supervised by a parent or guardian. Children should understand and practice good hygiene procedures. Children who are disorderly will be asked not to return as vendors.

23. Pets and Animals

No pets will be allowed in the Market or in the vendor area as per Alaska Statute 18 AAC 310. The only exceptions to this policy are trained seeing-eye dogs or dogs for the hearing impaired. This includes during set-up or clean-up times. Vendors who bring pets to the Market must keep them in an enclosed vehicle, except when walking them outside of the Market area. It is up to all vendors to enforce this with fellow vendors and customers. No live animals may be sold or displayed at the Market, except seafood sold per DEC regulations.

24. Smoking, Drugs and Alcohol

Smoking is not allowed on the Market grounds. The use or distribution of alcohol, drugs or any illegal substance is prohibited on Market grounds.

25. Coupon Redemption Program – WIC/SFMNP

Applicable vendors are encouraged to participate in the Women, Infant, and Children's (WIC) Nutrition Program and the Senior Farmers' Market Nutrition Program (SFMNP). To participate, vendors must contact the Homer WIC office for registration and training on WIC rules and regulations. Only fresh, unprocessed produce may be exchanged for WIC coupons and no money may be given as change.

26. Token Programs

The Homer Farmers' Market has two different programs using tokens. The first is for recipients of the QUEST food stamp program. Recipients can swipe their QUEST card at the Market's info booth at the Market entrance where they will receive wooden tokens to spend on food items in the Market. These tokens come with values of \$1 and \$5 and can only be spend on QUEST Food Stamp program eligible foods, including: bread products, produce, meat, fish, poultry, eggs, dairy products, seeds and plant starts which produce food to eat. No change can be given to customers using these tokens. Only vendors participating in the QUEST token program can accept these tokens. The program agreement/contract can be found online at www.homerfarmersmarket.org or at the information booth during Market hours.

The second token program involves the Homer Farmers' Market coin. This golden coin, minted at the Alaska Mint with the Market logo on it was created as a souvenir and to promote buying locally. Customers can buy them with cash or swipe their debit card at the info booth to purchase these coins. The coin has a \$20 value and can be used to purchase any item, the same as if it were a \$20 bill. Change can be given. Vendors wishing to accept these coins need to sign the same contract as those accepting QUEST tokens to show that they understand the difference between the two programs.

Tokens and coins can then be turned in to the information booth on Market days. At the following Saturday Market, the Market Manager will distribute reimbursement checks to vendors. If a vendor is not going to be present to get their check, they need to arrange other options with the Market Manger.

27. Market Board of Directors

Homer Farmers' Market is a non-profit organization managed by an advisory board of up to 12 persons. Market Advisory Board members are elected for three-year terms. Any member who has held membership for one year is eligible for election to the Board, and is encouraged to run. Elections are held at the annual HFM general meeting by a vote of all members present. The Market Advisory Board will manage all business, advertisement, and other organizational infrastructure. The Market Manager acts according to the instructions of the Board.

28. Discrimination and Harassment

Members/Vendors of the HFM participating in Market functions, whether dealing with customers of the Market or with other Market vendors, shall not discriminate against any individual with regards to selling of products, discipline, or other matters because of age, sex, race, creed, national origin, sexual orientation, or the presence of any physical or mental disability. Members/vendors shall behave toward all customers, potential customers or other vendors in a way that is free of harassment and discrimination. Complaints should be taken to the Market Advisory Board and will be regarded with confidentiality.

Mission Statement

The Homer Farmers' Market welcomes all growers of farm, garden, and greenhouse produce to participate in a weekly market. The Homer Farmers' Market was established in 2000 to aid in the development of a sustainable local agricultural community for the benefit of the greater community of the Kachemak Bay area by:

- Being an outlet for producers of small quantities of products.*
- Providing the consumer with an opportunity to purchase excellent garden/farm fresh products.*
- Expanding economic activity.*
- Fostering consumer-producer education and relations.*

I have read and agree to abide by the policies contained within the Homer Farmers' Market Policy Handbook

Signature

Date

Printed Name

Business Name

Detach this page and include with your application.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

MANAGER'S REPORT

May 12, 2014

TO: MAYOR WYTHER / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

NOTE: Some of these items appeared in the last report. I have updated them and brought them back in case the Council wanted to discuss.

1. Construction Update: At the time this report was written, paving was almost complete on the new trails around the harbor. Substantial work has been completed on the interpretative areas and other enhancements. The City is getting really positive feedback about the trails, the upgrades at End of the Road Park (paving, restroom, landscaping), the new trail from the Pioneer Dock to Coal Point Park, and the improvements near the load and launch ramp (lanes for through traffic).
2. More Natural Gas Conversions: This meeting agenda contains an ordinance appropriating money for additional gas conversions at City facilities, including some of the older restrooms around the harbor. The Finance Department reports significant savings so far. Right now, the heating bill at City Hall is about 70% lower each month.
3. Traffic Calming / Old Town: On Tuesday night, the 6th, I planned to attend a meeting of the Old Town Neighborhood Association. The purpose of the meeting was to talk about additional measures that could be taken to reduce speeding and reckless driving. The group planned to address the Planning Commission the next evening. You will recall that the Planning staff and Planning Commission are working on traffic calming policies and procedures. The City has completed much of what it promised to do so far in that regard including new crosswalks, additional signage, narrower driving lanes, and a lower speed limit. The Bishops Beach parking lot has been striped. The Charles Way trail is scheduled to be completed this summer.
4. Ramp 7: The Seldovia Village Tribe has decided to rebuild the damaged float and reinstall Ramp 7 this summer. The City is working with them on a temporary fix that should get us through the summer. One of the City's contract engineers reviewed the proposed plans last week to insure public safety. He recommended some changes that would cost additional funds. At the time this was written, we were waiting to see if SVT would approve the changes and the extra money. The Port staff are working on alternative docking sites for the ferry if this does not work out. Replacing the float and reinstalling

- the ramp would be temporary and the permanent fix would occur this fall when the City replaces the entire float. The new float will be designed to accommodate the ramp.
5. Pioneer Ave Upgrades: DOT/PF has issued STIP Amendment 9. This amendment calls for repaving and other upgrades for Pioneer Avenue along with Lake Street. This is a good opportunity for the public to have some input on Pioneer Avenue improvements. DOT/PF staff planners are coming down here on May 23 to discuss this with us. At that time we will learn more about the design and public participation processes.
 6. Proposed Bed Tax: A Council packet several months ago contained a flyer produced by the Kenai Peninsula Tourism Marketing Council which described its Borough-wide bed tax proposal. Since that time, I have had several conversations with the Executive Director of the organization and I think I now have a better understanding of the intent behind the proposal, how the tax would work, and what it could be used for. There are definitely advantages and disadvantages to Homer associated with the proposal and I would be happy to provide my thoughts on it if you wish. As I understand it, the Homer Chamber Board is currently neutral on the proposal. Since this proposal may end up on the ballot at some point, I invited the Director to come down and address the Council as a Visitor at a future meeting. She said she would like to do so.
 7. The Vessel Haulout Committee: This Committee is having very productive meetings. Councilmember Barbara Howard is the Chair and she may want to provide a report. The last meeting included some surprise guests who made it even more clear that there is demand, opportunity, and room for growth in the marine Industrial sector of Homer's economy.
 8. Public Safety Building Committee: This committee is also moving quickly and very productively. A contract has been signed with the GC/CM firm and we are rapidly moving into the site selection and design phase. The Mayor sits on this Committee and may want to provide further detail.
 9. New Port and Harbor Building: Another Committee doing excellent work. This week I signed the Publication Notice and we started soliciting bids for construction of the building and the overslope pathway around it.
 10. Cottonwood Horse Park: several years ago the City accepted title to a group of small lots adjacent to the Cottonwood Horse Park. The intended that the lots would eventually be added to the Horse Park complex and used to support that activity. The City agreed to hold onto the Lots until the Association obtained clear title to the parcel the Horse Park is on. That has now occurred. So, the City is in the process of preparing to transfer that land to the Cottonwood Horse Park. The Planning Department is negotiating a trail easement as part of that transaction.
 11. Summer is Here! Personnel is busy hiring temporary summer employees for Parks and the Port and Harbor. You have probably notices that things are getting busy and the visitors are rolling in. Let's hope for a good season for all.
 12. Possible Ribbon Cutting: Katie and Linda Anderson are working on the idea of having a ribbon cutting ceremony this summer when the Cruise Ship Head Tax projects are completed. Potential invitees would include people from the industry, Senator Micciche, Senator Stevens, and Representative Seaton. It would be nice if this event could occur when a cruise ship was in port.
 13. Possible Proclamation Presentation: I formally thanked Senator Micciche and Representative Seaton for sponsoring the legislative Proclamation honoring Homer on its

50 Year Anniversary. Senator Micciche would like to come down and formally present the proclamation to the Council. We are trying to schedule that now.

14. Lobbyist Visit: Linda Anderson would like to come down and provide the Council with an end of session recap. She is not able to do that on May 27 so we are looking at one of the meetings in June.
15. Staff Working its Way Back to Full Strength: On May 12, Council day, we expect to have two key staff members back after a long absence. You may know that Rick Abboud has been out of the office for almost six weeks for family reasons. Katie Koester has also been out for about a month due to the birth of her second child. We wish both of them the best of luck and look forward to getting there return.

ATTACHMENTS

1. May Employee Anniversaries
2. Alaska Host Committee / Council of State Governments Conference / Anchorage
3. Invitation to the Kachemak Bay Water Trail Ribbon Cutting



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

April 30, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLANNING COMMISSION

MEETING OF APRIL 28, 2014

RE: Homer East End Road Kachemak Dr to Waterman Rd Right of Way Map Time Extension Request

During their regularly scheduled meeting of April 28, 2014, the Kenai Peninsula Borough Planning Commission granted approval of the subject time extension for two years, through April 28, 2016. Draft, unapproved minutes of the pertinent portion of the meeting are attached.

If you have any questions, please contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent April 30, 2014 to:

City of: City of Homer
491 E. Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council:
Homer Advisory Planning Commission
491 E. Pioneer Avenue
Homer, AK 99603

Survey Firm: P. Louise Hooyer PLS
Department of Transportation & Public Facilities
PO Box 196900
Anchorage, AK 99519-6900

Subdivider/Petitioner: Anthony Boneta
Department of Transportation & Public Facilities
PO Box 196900
Anchorage, AK 99519-6900

Gène LeQuire
Department of Transportation & Public Facilities
PO Box 196900
Anchorage, AK 99519-6900

KPB File Number: 2010-019

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request
 - b. Homer East End Road Kachemak Dr to Waterman Rd.
Right of Way Map
KPB File 2010-019; SOA-DOT/LeQuire, Boneta
Location: City of Homer & City of Kachemak

STAFF REPORT

PC Meeting 4/28/2014

Due to the scope of this project, the plat was granted a three-year conditional preliminary approval by the Plat Committee on April 26, 2010 which is valid through April 26, 2013.

Per Louise Hooyer, with the State DOT has requested a time extension on May 1, 2013 which is valid through May 28, 2014. Another time extension has been requested by Louise Hooyer on April 4, 2014. Since the request has been received prior to the expiration date, a 2-year time extension can be requested per Planning Commission Resolution 89-27.

The State DOT has acquired the entire ROW and is beginning construction. The construction should be done by the end of 2015. They anticipate then submitting the final plat early in 2016.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for two-years, through April 28, 2016, subject to the following:

1. Copy of plat with a current utility review being submitted with the final plat.

An appeal of a decision of the Planning Commission may be filed to the Board of Adjustment 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 notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.

END OF STAFF REPORT

*** Approved by Adoption of the Consent Agenda**

AGENDA ITEM C. CONSENT AGENDA

2. Planning Commission Resolutions
 - a. Resolution SN 2014-02: Renaming certain public rights-of-way within Section 27 T5S R13W, SM, AK; within ESN 202. Renaming certain public rights-of-way within Section 7 T6S R13W, SM, AK; within ESN 202. Renaming certain public rights-of-way within Section 10 T6S R13W, SM, AK; within ESN 203 and Renaming certain public rights-of-way within Sections 1, 11 & 12 T6S R14W, SM, AK; within ESN 202.

RESOLUTION SN 2014-02

PC Meeting: 4/28/14

RENAMING CERTAIN PUBLIC RIGHTS-OF-WAY WITHIN SECTION 27; T 5S, R 13W; SEWARD MERIDIAN, AK; WITHIN EMERGENCY SERVICE NUMBER (ESN) 202

RENAMING CERTAIN PUBLIC RIGHTS-OF-WAY WITHIN SECTION 7; T 6S, R 13W; SEWARD MERIDIAN, AK; WITHIN EMERGENCY SERVICE NUMBER (ESN) 202



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

April 30, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLANNING COMMISSION

MEETING OF APRIL 28, 2014

RE: Foothills Subdivision Sunset View Estates Addition No. 2 Time Extension Request

During their regularly scheduled meeting of April 28, 2014, the Kenai Peninsula Borough Planning Commission granted approval of the subject time extension for two years, through April 28, 2016. Draft, unapproved minutes of the pertinent portion of the meeting are attached.

If you have any questions, please contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent April 30, 2014 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603-7645

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603-7645

Survey Firm: Roger Imhoff, RLS
PO Box 2588
Homer, AK 99603-2588

Subdivider/Petitioner: Sunset View Estates, LLC
C/O Cabana
PO Box 49
Homer, AK 99603-0049

Interested Parties: John Williams
910 Sterling Highway
Homer, AK 99603

Katherine George
542 Mountain View Drive
Homer, AK 99603

Diana Sedor
4264 Kramer
Homer, AK 99603
Ladydi1339@yahoo.com

Fran Durner
1421 N Street
Anchorage, AK 99501

KPB File Number: 2006-004

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- a. Foothills Subdivision Sunset View Estates Addition No. 2
 KPB File 2006-004; Imhoff/Sunset View Estates
 Location: City of Homer

STAFF REPORT

PC Meeting: 4/28/2014

This subdivision was approved on January 9, 2006, valid through January 9, 2007. A time extension was granted, extending the approval to December 11, 2007

The owners are having it developed in phases over a several year period. Phase one was recorded on May 8, 2007 (Plat HM 2007-31). Improvements for phase one have been built out and accepted by the City of Homer. There have been several extensions in the past with the last extension approved through April 23, 2014.

On behalf of the owners, the surveyor is requesting another 2-year time extension on March 27, 2014 and hoping the market for real estate will pick up enough to continue with the platting.

KPBPC Resolution 89-27 states that a two-year time extension may be granted when the request is received prior to preliminary approval expiration. The request meets the criteria for a two-year extension.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for 2-years, through April 28, 2016, subject to the following:

- 1. Copy of plat with a current HEA utility review submitted with the final plat.
- 2. Concurrence of the City of Homer Planning and Zoning Commission.

An appeal of a decision of the Planning Commission may be filed to the board of adjustment, 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 notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.

END OF STAFF REPORT

*** Approved by Adoption of the Consent Agenda**

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- b. Homer East End Road Kachemak Dr to Waterman Rd.
 Right of Way Map
 KPB File 2010-019; SOA-DOT/LeQuire, Boneta
 Location: City of Homer & City of Kachemak

STAFF REPORT

PC Meeting 4/28/2014

Due to the scope of this project, the plat was granted a three-year conditional preliminary approval by the Plat Committee on April 26, 2010 which is valid through April 26, 2013.