

June 7, 2017  
5:30 P.M.

Cowles Council Chambers  
491 East Pioneer Avenue  
Homer, Alaska

## WORK SESSION Advisory Planning Commission AGENDA

1. Call to Order, 5:30 P.M.
2. Discussion of Items on the Regular Meeting Agenda
3. Staff Report PL 17-58, Comprehensive Plan Update Chapter 4 Land Use
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 Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

**4. Reconsiderations**

**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.

**A.** Approval of minutes of May 17, 2017 **p. 1**

**6. Presentations**

**7. Reports**

**A.** Staff Report PL 17-53, City Planner's Report **p. 7**

**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 17-54, Vacation of a portion of the Greatland Street Right-of-Way **p. 9**

**B.** Staff Report PL 17-55, Vacation of a portion of the Starboard Way Right-of-Way **p. 23**

**9. Plat Consideration**

**A.** Staff Report PL 17-56, Mariner Village Subdivision Fraley Replat Preliminary Plat **p. 39**

**B.** Staff Report PL 17-57, Foothills Subdivision Sunset View Estates Addition No. 3 **p. 55**

**10. Pending Business**

**A.** Staff Report 17-58, Comprehensive Plan Update, Chapter 4 Land Use **p. 71**

**11. New Business**

**12. Informational Materials**

**A.** City Manager's Report May 30, 2017 City Council Meeting **p. 113**

**B.** KPB Notice of Decisions: Vacation of a 30 foot wide portion of Greatland Street **p. 123**

**13. Comments of the Audience**

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

**14. Comments of Staff**

**15. Comments of the Commission**

**16. Adjournment**

The next regular meeting is scheduled for June 21, 2017. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.





Session 17-06, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:32 p.m. on May 17, 2017 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

**PRESENT:** COMMISSIONERS HIGHLAND, BRADLEY, STEAD, AND VENUTI

**ABSENT:** COMMISSIONERS BOS, ABRAHAMSON (EXCUSED)

**STAFF:** CITY PLANNER ABBOUD  
DEPUTY CITY CLERK KRAUSE

The Advisory Planning Commission met for a worksession at 5:30 p.m. prior to the regular meeting. The update of the Comprehensive Plan was on the agenda.

### **APPROVAL OF AGENDA**

Chair Stead called for a motion to approve the agenda.

BRADLEY/HIGHLAND - SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **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).

### **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 May 3, 2017 meeting

Chair Stead requested a motion to approve the consent agenda.

BRADLEY/HIGHLAND - SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PRESENTATIONS**

#### **REPORTS**

A. Staff Report PL 17-50, City Planner's Report

City Planner Abboud provided a summary of his report. He noted the following:

- Expansion of Hickerson Cemetery has been awarded

- Noted that there was not really anything to report to Council for the May 30<sup>th</sup> meeting and asked if Commissioner Highland would change and attend the June 21<sup>st</sup> meeting where there will be something to report on that the Commission is doing.
  - o Commissioner Highland agreed to the change.
- Provided a summary of his experience at the Conference in New York City
  - o He has determined that he should be presenting at these conferences instead of attending
  - o Loosening the design requirements, smaller footprints, real estate law for Planners
  - o How to handle complaints of encroachment by neighbors with building structures
  - o Very busy Port town and interesting how people are concerned on the appearance, 8 million people means 24 million meals a day, mounds of garbage, piles of laundry
  - o Rising water, Hurricane Sandy, Sustainability, rebuilding on the barrier island
  - o The importance of the tax revenue to running the local governments
- Affordable Housing Options
  - o Some options mentioned are reducing lot sizes
    - Some would argue that these would be more valuable
  - o Row Housing, High Rises
    - Europe has been doing it since forever
  - o KPB is working on their Comprehensive Plan
    - Keep Rural as rural
    - How the Borough policies affect the city
    - No Standards right outside city limits pays and provides the services
    - Not sure what the solution would be or look like

## **PUBLIC HEARINGS**

### **PLAT CONSIDERATION**

#### **A. Staff Report PL 17-51, Sterling Hwy/Main Street AKDOT Right of Way Acquisition Preliminary Plat**

Chair Stead read the title into the record. City Planner Abboud summarized the report that this is the preliminary plat for the land needed to construct the intersection of Sterling Highway and Main Street Traffic light. It was noticed extensively and there is no one present.

Staff Recommendations: Move to Approve the Preliminary Plat

There was no applicant present. Chair Stead inquired if the needed land was purchased.

City Planner Abboud stated he believed it was he did note that the only issue is the NAPA parcel may need a variance since the property owner did not cause this issue.

Chair Stead asked if Commissioner Highland would like to make a motion.

**HIGHLAND/VENUTI - MOVED TO ADOPT STAFF REPORT PL 17-51, STERLING HIGHWAY/MAIN STREET AKDOT RIGHT OF WAY ACQUISITION PRELIMINARY PLAT.**

There was a brief discussion on the State of Alaska reimbursing the property owners. Commissioner Bradley commented on having a second traffic light in town and that it would be interested to see how they will deal with the NAPA corner.

**VOTE. YES. HIGHLAND, BRADLEY, STEAD, VENUTI.**

Motion carried.

City Planner Abboud commented that they have doubled the amount of traffic lights since he started working for the city.

**PENDING BUSINESS**

**A. Staff Report PL 17-52, Comprehensive Plan Update, Chapter 4, Land Use**

Chair Stead read the title into the record and opened discussion by acknowledging where the commission left off from the worksession prior to the meeting.

Discussion ensued on Chapter 4 Land Use on page 37 of the packet and noted that the Commission wanted to include a statement dealing with junk. The discussion contained the following the following points:

- Steep slopes, building standards refinement
- Fill standards
- Including Woodard Creek Plan in the Comprehensive Plan
  - o Not a city plan, speaks to essentially locking the land down
  - o More of a park development plan
  - o Advocating with the State to be more sensitive to the creek
  - o Mostly private land
  - o This is considered green infrastructure
- Remove Overlay
- Referenced Appendix D - Infrastructure Map
  - o Only informational purposes
  - o Unless regulations are to be implemented it will be informational only
- Debate on the detriment to the land versus the hydrology and green infrastructure and use of fill materials
  - o Need additional information

Chair Stead requested clarification on Commissioner Highland's comment on "it's a big deal" and referred to Objective A, under Goal 2 on page 4-11 of the plan (page 37 of the packet) or the Implementation Strategies

Additional comments on Woodard Creek were made by Commissioner Highland and City Planner Abboud that evolved into discussing critical habitat and the effects on the surrounding area.

Chair Stead requested clarification from Commissioner Highland when referring to "this thing". City Planner Abboud commented he is hearing a restriction. Commissioner Highland stated that she would like Homer to learn from actions and mistakes learned elsewhere so they do not continue doing the same thing. City Planner Abboud cited that others may advocate for engineering your way out of a problem and the whole regional bigger picture and concentrate population in one area to save nature in another. There is going to be a trade off somewhere.

Ensuing discussion contained points on doing something now to stop the non-reactive nature of doing nothing and establishing policy and regulations occurred between Commissioner Highland and City Planner Abboud.

Commissioner Venuti advocated for the commission to study Appendix D and come back for continued discussion at the June 7, 2017 regular meeting.

City Planner Abboud reviewed the implementation strategies under Objective B and concluded that they have done most of these items. Chair Stead agreed that many of these have been tackled. City Planner Abboud stated that a statement such as, "continue to review developmental standards and lessons learned" can be included.

A brief discussion on setbacks for streams and wetlands; establishing rules and laws regarding property; dealing with the economics that is Homer, and working on infill the existing neighborhoods, removing the density that is in rural residential and establishing a minimum like 1 acre lots. City Planner Abboud approached the map and pointed out various areas to use for containment. He noted that they crossed a line by allowing accessory buildings.

Commissioner Highland wanted to keep line 339-352 she advocated keeping them since they are not strong enough in her opinion.

Chair Stead restated that Objective B verbiage “to continue to evaluate the science to continue to refine, define and improve the implementation strategies” to explain he stated that this will allow them to scientifically prove that changes are for best.

City Planner Abboud used Park City Utah as an example where the municipality bought the land and designated trails and recreational aspects to development.

Commissioner Venuti suggested changing verbiage in line 356, “Homer is encouraged to continue practices that bring about Objective B.”

The Commissioners briefly discussed including language in the plan on green infrastructure, in Objective C requiring developers to include details about environmental reviewing Appendix D would help the commission to discuss this with substantive meaning.

Chair Stead stated he has some issues with requiring developers to include details about environmental features, what exactly is an environmental feature. Additional comments on what is an environmental feature, is more definition required was questioned. He appreciates what the City Planner Abboud stated on impacts from one developer does not impact a future developer.

Commissioner Highland advocated that because of examples of land use issues in the past and present they can project how it will affect land use in the future.

Chair Stead again noted the time and that they will not be finishing this tonight or get past Goal 2, City Planner Abboud agreed and requested the commission to try to think of the policies and referenced New York City and how it was planned. He stated that there is a good example of being conscience of the wetlands, etc. Homer is pretty good with the Critical Habitat.

Commissioner Venuti reminded those present that they wait for the full commission and that it would have more value to have everyone at the table.

Chair Stead stated that they would have Goal 2, Objective C, D, E and read Appendix D and keep going then hopefully finish the last meeting in June.

City Planner Abboud stated that condensed thought is needed and wanted to have in the end a palatable policy that is acceptable to the Homer community. He confirmed that the Appendix D (map) will be included in the packet.

## **NEW BUSINESS**

### **INFORMATIONAL MATERIALS**

- A. City Manager's Report, May 8, 2017 City Council Meeting
- B. KPB Notice of decision for a Utility Easement vacation on the interior lot line between lots 16 & 19 of Barnett's South Slope Subdivision DEC 17 T6S R13W S.M.
- C. KPB Notice of Decision for Wintergreen Subdivision Raymond Addition Preliminary Plat

### **COMMENTS OF THE AUDIENCE**

### **COMMENTS OF STAFF**

City Planner Abboud had no comments.

Deputy City Clerk Krause commented that it was entertaining as always.

**COMMENTS OF THE COMMISSION**

Commissioner Venuti had no comments.

Commissioner Bradley thanked Commissioner Highland for the element of environmental awareness it provided food for thought for the next meeting. Thank you everyone.

Commissioner Highland thanked everyone for their patience.

Chair Stead noted that it was a difficult process to plan the future, especially when they have so many concerns.

**ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 8:10 p.m. The next regular meeting is scheduled for WEDNESDAY, JUNE 7, 2017 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: \_\_\_\_\_





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner  
DATE: June 7, 2017  
SUBJECT: City Planner's Report PL 17-53

---

City Council - No planning related items on the agenda.

Training: I attended the National Planning Conference in New York May 5<sup>th</sup>-May 8<sup>th</sup>. Below is a summary of the sessions I attended.

Climate Change Adaptation – Many concepts I am familiar with were reinforced. Presented were descriptions of various barriers and accommodations that are made in flood prone areas including raising streets and floodable streets. As I have learned, the best way to address development in areas of potential hazards is to move or avoid development. This option is measured in a benefit/cost analysis. Found that in New Jersey most were able to rebuild in hazardous areas with the support of the government, which is highly reliant on the property tax base.

Zoning Cities Toward A Simpler Future – While this title sounds wonderful, I'm afraid that many suggestions just do not translate easily to local conditions. It was recognized that office vacancy are up due to changing technology. A case was made to support smaller footprints of developments and ease up on design requirements. It was thought that small sites would lead to variation in design and style naturally. Manhattan is an example of this as much of the city is a collection of smaller footprint sites, which project upwards. We are supposed to get developers on-board with a shared vision. Unfortunately, I have found it very difficult to get developers to spend additional money on designs that are not prescribed.

Tiny Houses – These were framed as houses on foundations for at least 30 days. If they are on wheels they are treated as RV's. The example of development included type of self-governing villages used temporarily until more elusive transitional housing is found. Building units with plumbing and a shared kitchen/community building resulted in a cost of \$100k per unit. Discussed were the general array of site requirements including parking and storm water. Also, as a temporary housing option the provision of on-site services might include mental health and transition programs. It was also seen as very difficult to subdivide and sell units as it would be tough in consideration of legal access and utilities.

New Ruralism – Examples of several rural development projects were showcased. These included community supported agriculture, land trust projects, work on poverty issues with food banks, worker cooperatives, women’s entrepreneurial networks, renewable energy, and aging in place projects.

Supporting Small Business through Zoning – This session was based on a 2016 article in *Zoning Practice*. The stages of a business were given based on number of employees, with the ‘sweet spot’ being those with 10-99 employees. The advantage of using general categories i.e. retail, as opposed to specific was explained. Other useful concepts included exempting parking requirements for small storefronts and separating manufacturing/mixed-use from industrial zones.

It’s All Your Fault: You’re the Planner – This session was more entertaining than others (one needs this after a few days of conference). Eleven tips were given on how to help deal with some of the challenging situations in which we planners find ourselves. The session started with stories of dealing with some of the less desirable encounters faced, including getting called names. When the attendees were asked if they had ever been called names, 90%, including myself, raised their hands.

Economic Development in Small Town America – This session was very participatory in nature and tables of planners got together and responded to questions about successes and failures of economic development in their communities. Agra-tourism, renewable energy, and the women’s rural entrepreneur network (WREN) were the subject of discussion.

Real Estate Law for Planners – Perhaps this session was something only a planner could enjoy. We reviewed several basic concepts of real estate that deal with issues that planners might encounter. This included the different types of real estate transfers and interests. Easements, licenses, and conveyances were discussed.

I also attended two mobile sessions. One was a waterfront orientation that took us around the end of Manhattan and New Jersey. Although on a different scale, we had a familiar discussion about reservations for industrial uses and how to best use property in relation to the waterways. Another session was a walking tour of Chinatown and Little Italy. We learned a lot of history of the immigrant populations, current and future. Also, we visited some of the historic locations highlighted in the movie *Gangs of New York* (a favorite of mine). We also got experience in traveling on the subway.

Current schedule for Commissioners to present to the council.

June 12, 2017: Syverina

June 26, 2017: Roberta

July 24, 2017:

August 14, 2017





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 17-54

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: June 7, 2017  
SUBJECT: Vacation of a portion of Greatland Street

**Requested Action:** Conduct a public hearing and make a recommendation on the vacation of a portion of Greatland Street.

#### General Information:

Applicants:	Tom Livingston 3900 Arctic Blvd Ste 301 Anchorage, AK 99503	Kenton Bloom, PLS Seabright Survey and Design 1044 East End Rd Ste A Homer, AK 99603
David Duke 166 W Bunnell Ave Unit 105 Homer, AK 99603 Baywatch Condo Assn President		
Location:	South end of Greatland Street in Old Town, between the Sterling Highway and Ohlson Lane	
Parcel ID:	17516017, 17516033	
Zoning Designation:	Central Business District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Alaska USA Bank, Homer Chamber of Commerce South: Baywatch Condominiums, Ohlson Lane East: Old Town Cottages/residential West: Vacant land	
Comprehensive Plan:	The 2005 Homer Transportation Plan does not show future construction of a road within this right of way. The Homer Non-Motorized Transportation and Trail Plan shows a pedestrian connection east-west between Islands and Ocean Visitor Center, and the Chamber of Commerce.	
Utilities:	City sewer main is located in a portion of the existing Right of Way.	

Public Notice:	Notice was sent to 49 property owners of 31 parcels as shown on the KPB tax assessor rolls.
----------------	---

**Analysis:** This vacation is within the Central Business District. This action would vacate a further portion of Greatland Street, creating frontage onto Ohlson Lane.

KPB 20.30.170. - Blocks—Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

**Staff Finding 1:** The current block length along the Sterling Highway between Greatland and Main Street is about 500 feet, and 550 feet to Ohlson Lane. Vacation of Greatland Street south of the Sterling Highway would create a block length of about 1100 feet. Vacation of Greatland Street would increase conformance with the requirement that block lengths be not less than 800 feet on an arterial and state maintained roads.

KPB 20.70.170. - Vehicular access.

The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

**Staff Finding 2:** Equal or superior access exists for vehicular access. Greatland Street is undeveloped within this block. The primary parcel will access on Ohlson Lane. Other properties affected have access on Ohlson Lane or the Sterling Highway, which are both paved and maintained roads. Two or more access points are not necessary in this area.

KPB 20.70.190. - Utility provisions.

All existing and future utility requirements shall be considered when evaluating a vacation request. Rights-of-way which are utilized by a public utility or which logically would be required by a public utility shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a public utility easement be granted in place of the right-of-way.

**Staff Finding 3:** City staff has considered the existing a future municipal infrastructure and finds that utility easements are sufficient.

**Public Works Comments:** Retain 30 feet of right of way from the centerline of Ohlson Lane, so that Ohlson Lane will someday have a standard 60-foot right of way.

**Fire Department Comments:** No Fire Department issues.

**Staff Recommendation:**

Planning Commission recommend approval of the vacation with the following comments:

1. The northeast half of Ohlson Lane from centerline shall be 30 feet wide.

**Attachments:**

1. Vacation petition and map
2. Surveyor's Letter
3. Public Notice
4. Aerial Map
5. Block length diagram



***Seabright Survey + Design***

*1044 East Road, Suite A  
Homer, Alaska 99603  
(907) 235-4247 (and Fax)*

May 11, 2017

City of Homer  
Attention: Planning Dept.  
841 E Pioneer Ave  
Homer, AK 99603

Re: Partial Right-of-Way Vacation of Greatland Street

Dear Julie,

Here is the additional vacation petition for another portion of Greatland Street.  
This includes the curve return which will revert to Baywatch Condo Assoc.

2 11x17 copies

\$300 City of Homer

Sincerely,



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

RECEIVED

MAY 11 2017

CITY OF HOMER  
PLANNING/ZONING



Kenai Peninsula Borough Planning Department  
144 North Binkley  
Soldotna, Alaska 99669-7599  
Toll free within the Borough 1-800-478-4441, extension 2200  
(907) 714-2200

**Petition to Vacate Public Right-of-Way/Easement/Platted Public Area**  
**Public Hearing Required**

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- ☒ \$500 non-refundable fee to help defray costs of advertising public hearing.
- ☐ City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- ☒ Name of public right-of-way proposed to be vacated is dedicated by the plat of CHAMBERLAIN & WATSON Subdivision, filed as Plat No. HM 000024 in HOMER Recording District.
- ☐ Are there associated utility easements to be vacated? ☐ Yes ☒ No
- ☐ Are easements in use by any utility company? If so, which company HOMER CITY OF HOMER
- ☐ Easement for public road or right-of-way as set out in (specify type of document) \_\_\_\_\_ as recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the \_\_\_\_\_ Recording District. (Copy of recorded document must be submitted with petition.)
- ☒ Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? ☐ Yes ☐ No
- Is right-of-way used by vehicles / pedestrians / other? ☐ Yes ☐ No
- Is alternative right-of-way being provided? ☐ Yes ☐ No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

CITY IS ABANDONING THE RIGHT OF WAY

VACATE ALSO BUNNELL'S SUBD # 11 HM 0800072

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By:

Name:

Address:

Phone:

SEABRIGHT SURVEY

KENTON BLUM

1044 E. RD SEA

HOMER AK

99603

907-299-1091

Signature as:

☒ Petitioner

☐ Representative

Petitioners:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

Owner of:

Signature:

Name:

Address:

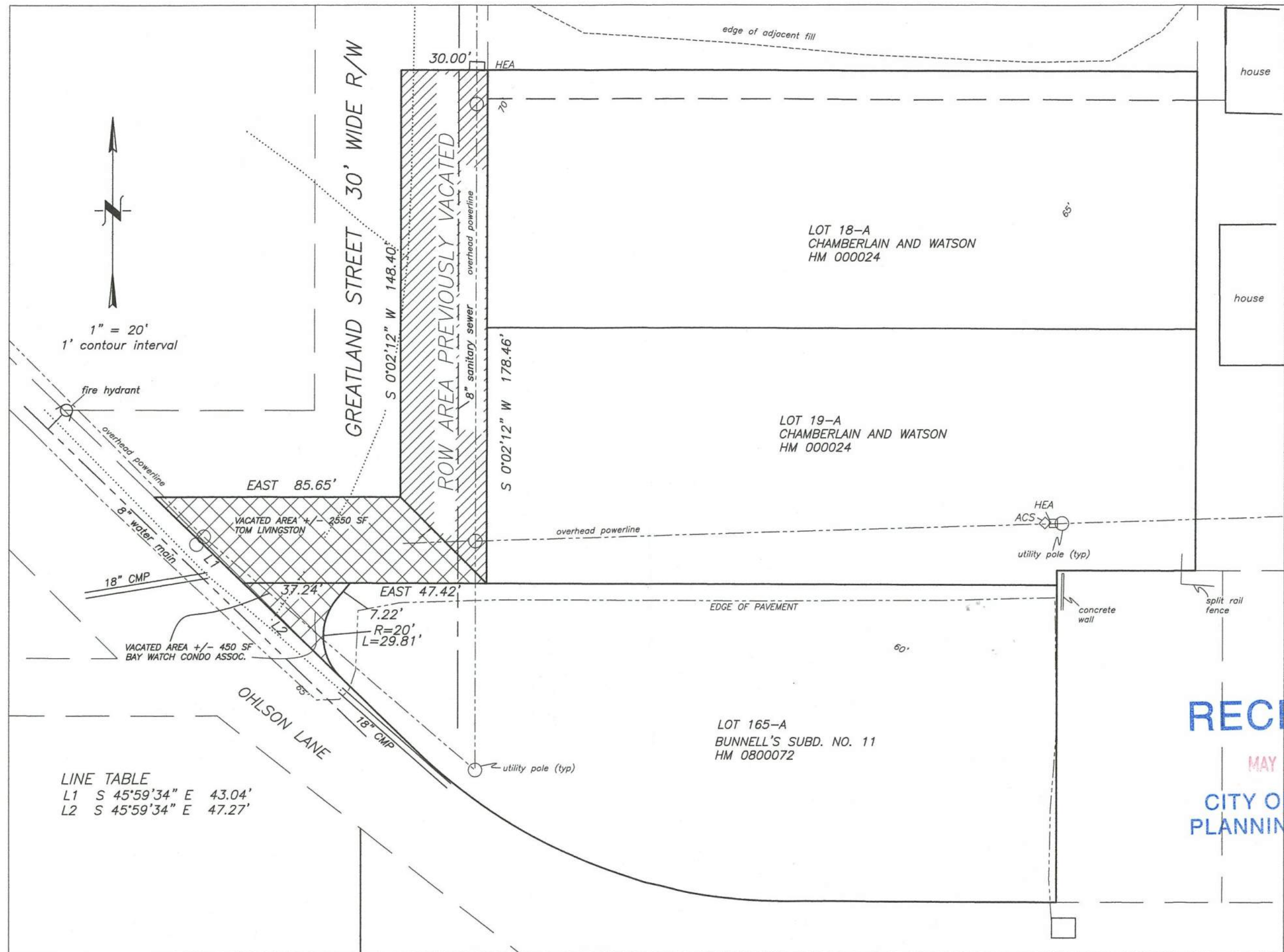
Owner of:

**RECEIVED**

MAY 11 2017

**CITY OF HOMER  
PLANNING/ZONING**





RECEIVED

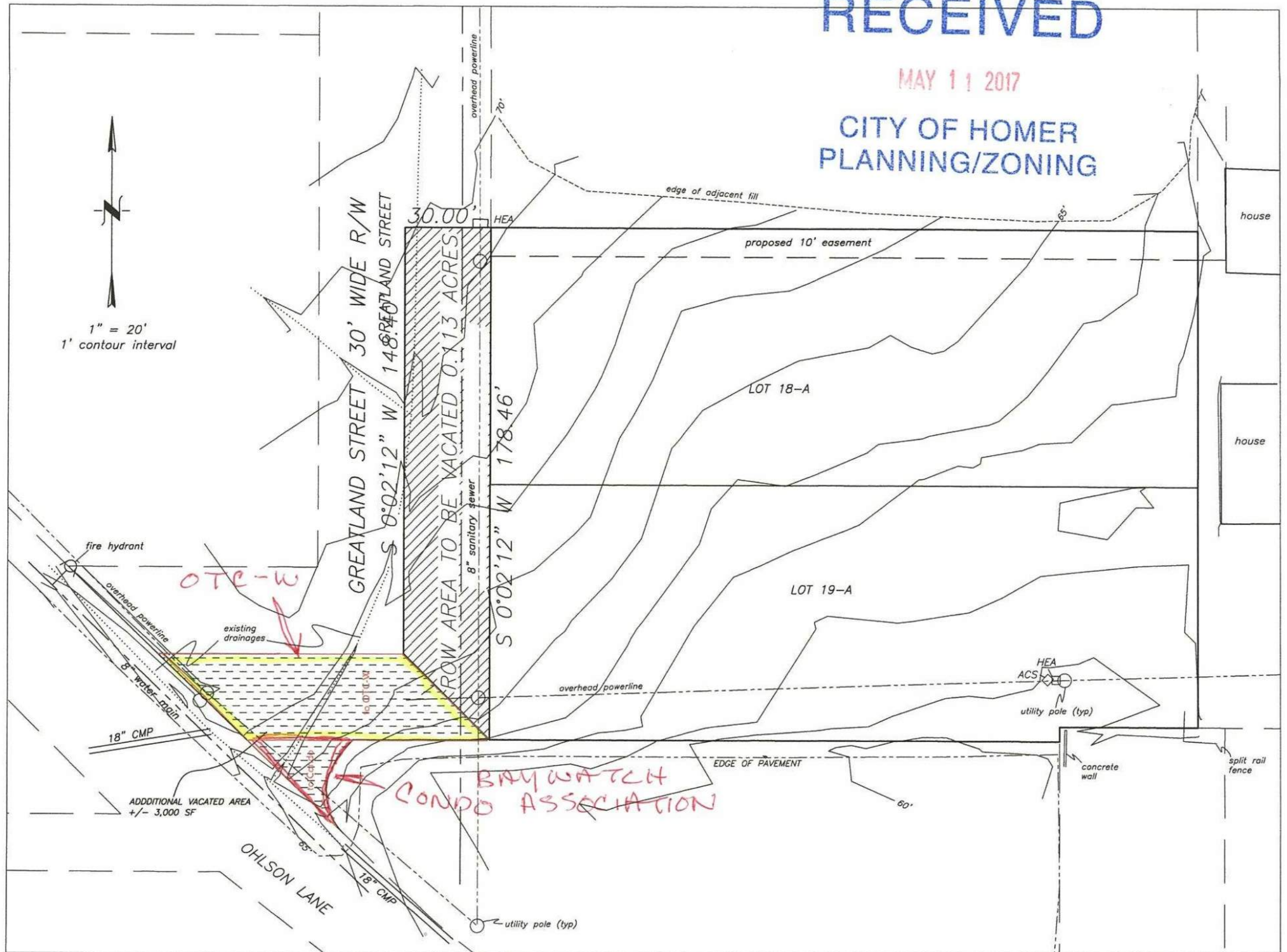
MAY 11 2017

CITY OF HOMER  
PLANNING/ZONING

RECEIVED

MAY 11 2017

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, June 7, 2017 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska on the following matter:

**A proposal to vacate +/- 3,000 square feet of Greatland Street south of the Sterling Highway near the intersection of Ohlson Lane, Chamberlain and Watson Subdivision, SEC 19 T 6S R 13W Seward Meridian.**

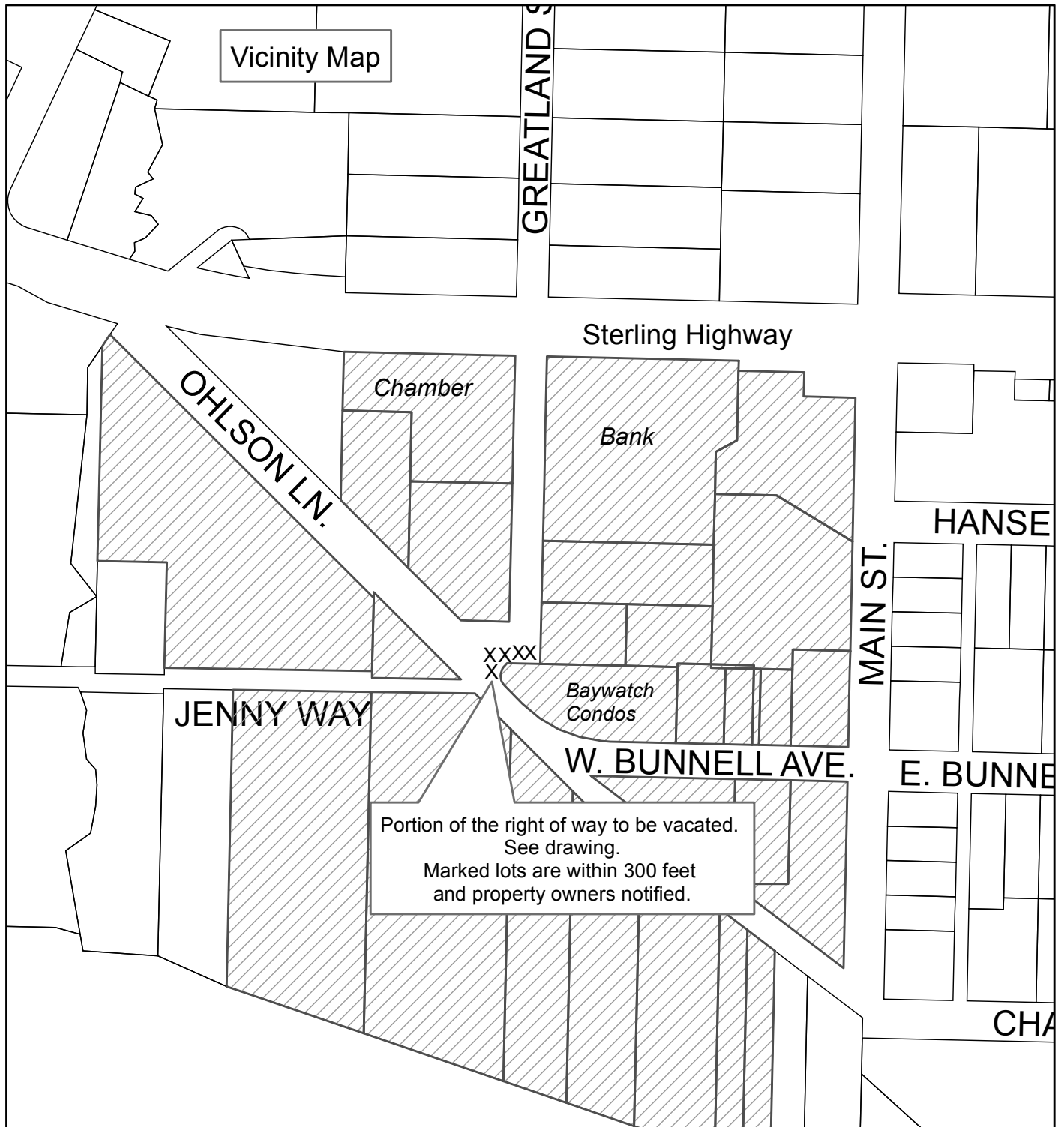
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

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 Rick Abboud at the Planning and Zoning Office, 235-3106.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.**

.....

**VICINITY MAP ON REVERSE**



City of Homer  
Planning and Zoning Department

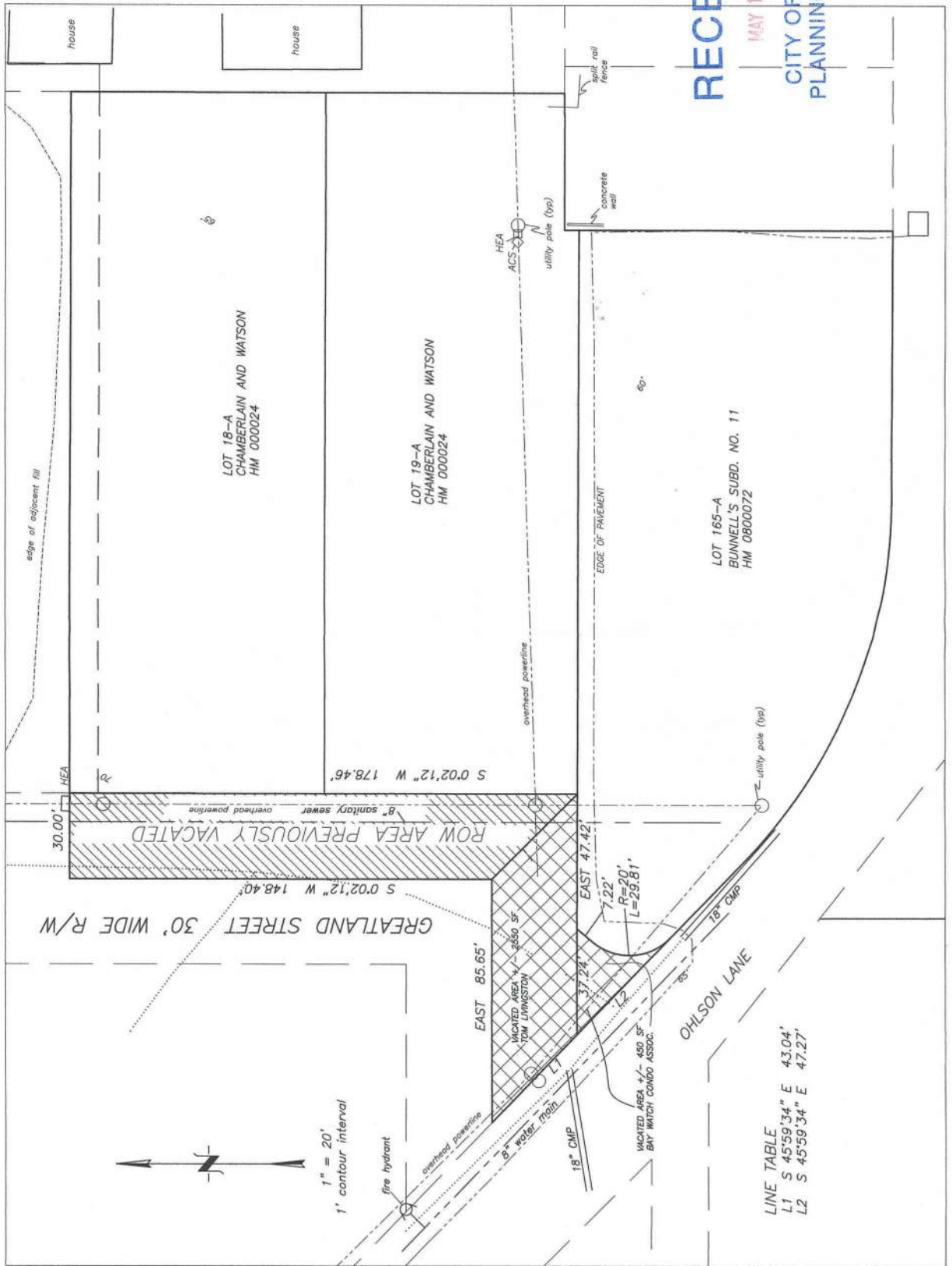
5/23/17

## Request to Vacate a portion of Greatland Street

0 250 500 Feet



*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.

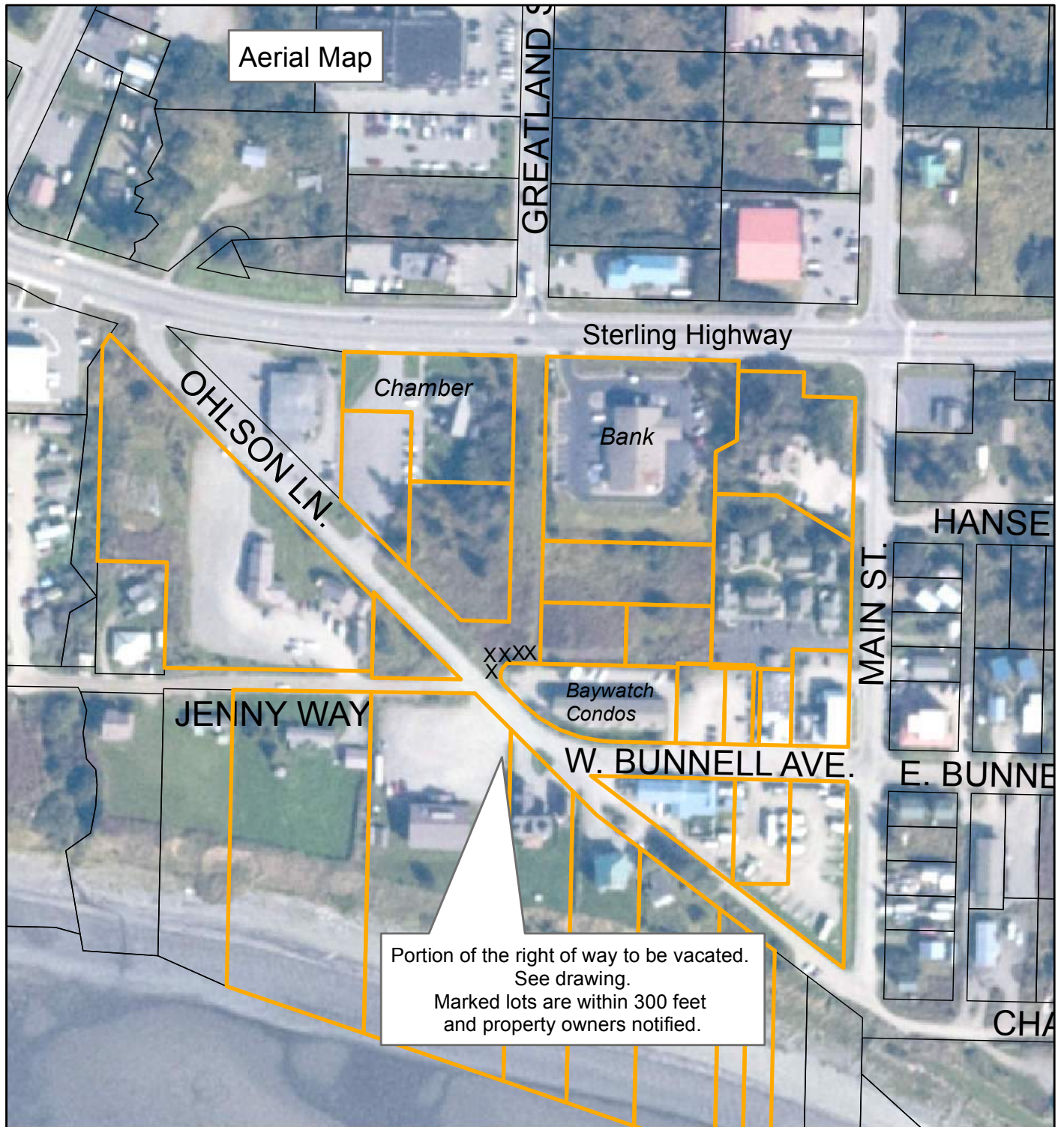


RECEIVED

MAY 11 2017

CITY OF HOMER  
PLANNING/ZONING





City of Homer  
Planning and Zoning Department

5/23/17

## Request to Vacate a portion of Greatland Street

0 250 500 Feet



*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.

Block Length Diagram

GREATLAND ST.

550 ft

500 ft

OHLSON LN.

JENNY WAY

W. BUNNELL AVE.

MAIN ST.

HANSE

E. BUNNE

CHA



0 250 500 Feet





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 17-55

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: June 7, 2017  
SUBJECT: Vacation of a portion of Starboard Way right of way

**Requested Action:** Conduct a public hearing and make a recommendation on the vacation of a portion of Starboard Way.

#### General Information:

Applicants:	Kevin and Pamela Fraley 3760 Poppy Circle Homer, AK 99603	Geovera LLC Steve Smith, LS PO Box 3235 Homer, AK 99603
Location:	West of Mariner Drive, on Starboard Way	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Residential/Vacant South: Vacant/Conservation East: Residential West: Residential/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:	The 2005 wetlands mapping shows wetland areas. A more recent and site specific ACOE jurisdictional determination shows the area is uplands, except for a drainage area.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
Public Notice:	Notice was sent to 37 property owners of 41 parcels as shown on the KPB tax assessor rolls.	

**Analysis:** This vacation is within the Rural Residential District. This action would vacate a portion of Starboard Way. The accompanying plat, a separate action, would create a cul-de-sac and reduce the

number of lots on Starboard Way to two. The portion of Starboard Way to be vacated is not constructed and does not contain any city utilities.

KPB 20.70.170. - Vehicular access.

The planning commission shall not approve the vacation of a right-of-way unless an equal or superior right-of-way for vehicular access exists or will be provided in exchange. Where two or more access points are necessary for large vacant or semi-vacant areas of land, the commission shall consider density, use, projected development, and maintain sufficient rights-of-way to serve potential use.

Staff comments: The property to the south, owned by the Kachemak Heritage Land Trust (KHLT), has a conservation easement. The land is used for public trails, and there is on-site parking further south off Mariner Drive. The property to the east has road frontage on East End Road. Starboard Way will only access two lots rather than the 7 currently platted. A cu-de-sac is sufficient vehicular access in this area.

20.70.180. - Other access.

Other lawful uses that exist or are feasible for the right-of-way shall be considered when evaluating a vacation request. When such uses exist or could exist within rights-of-way which are not suited for general road use, the commission shall not approve the vacation request, unless it can be demonstrated that equal or superior access is or will be available. The planning commission shall consider whether alternate uses present public safety issues which support approval of the vacation.

Staff comments: Alternate trail access to KHLT lands is available via Mariner Drive, and pedestrian access via the trailhead at Paul Banks Elementary School. Starboard Way does not provide significant legal access to adjacent lands.

**Public Works Comments:** No comments.

**Fire Department Comments:** No Fire Department issues with these actions.

**Staff Recommendation:**

Planning Commission recommend approval of the vacation.

**Attachments:**

1. Vacation petition
2. Preliminary Plat
3. Surveyor's Letter
4. Public Notice
5. Aerial Map





Kenai Peninsula Borough Planning Department  
144 North Binkley  
Soldotna, Alaska 99669-7599  
Toll free within the Borough 1-800-478-4441, extension 2200  
(907) 714-2200

**Petition to Vacate Public Right-of-Way/Easement/Platted Public Area**  
**Public Hearing Required**

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- ☐ \$500 non-refundable fee to help defray costs of advertising public hearing.
- ☐ City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- ☒ Name of public right-of-way proposed to be vacated is dedicated by the plat of Mariner Village Subdivision Subdivision, filed as Plat No. 68-657 in Homer Recording District.
- ☐ Are there associated utility easements to be vacated? ☐ Yes ☐ No
- ☐ Are easements in use by any utility company? If so, which company \_\_\_\_\_
- ☐ Easement for public road or right-of-way as set out in (specify type of document) \_\_\_\_\_ as recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the \_\_\_\_\_ Recording District. (Copy of recorded document must be submitted with petition.)
- ☐ Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? ☒ Yes ☐ No
- Is right-of-way used by vehicles / pedestrians / other? ☐ Yes ☒ No
- Is alternative right-of-way being provided? ☐ Yes ☒ No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

A portion of the Starboard Way was constructed along with city water and sewer mains. The construction was stopped at the point where  
a wetland crosses the right-of-way (USACOE POA 2008-78, Beluga Lake). The City of Homer planning department agreed to allow the  
owners to dedicate a cul-de-sac, vacate the remaining right-of-way to the south boundary, vacate the existing lot lines, and create two  
lots from the existing seven that will access city utilities. Property to the south has access from a developed ROW 235 feet to the east.

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By:

Name: Stephen C. Smith, P.L.S.  
Address PO Box 3235  
Homer, AK 99603

Signature as:

☐ Petitioner ☒ Representative

Phone (907) 399-4345

Petitioners:

Signature [Signature]  
Name Scott Frateley Jr. (Kevin)  
Address 3670 Poppy Circle  
Unit B, Homer AK 99603

Owner of \_\_\_\_\_

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_

Owner of \_\_\_\_\_

Signature [Signature]  
Name Pamela Frateley  
Address 3670 Poppy Circle  
Unit B, Homer AK 99603

Owner of \_\_\_\_\_

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_

Owner of \_\_\_\_\_





## NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY COLLECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-1^{\circ}17'13.4''$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR"  $N=100,000$   $E=100,000$ . ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
6. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
7. THE LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 87 HRD).
8. WASTEWATER DISPOSAL: PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE WITH THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
9. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

## NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

## NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

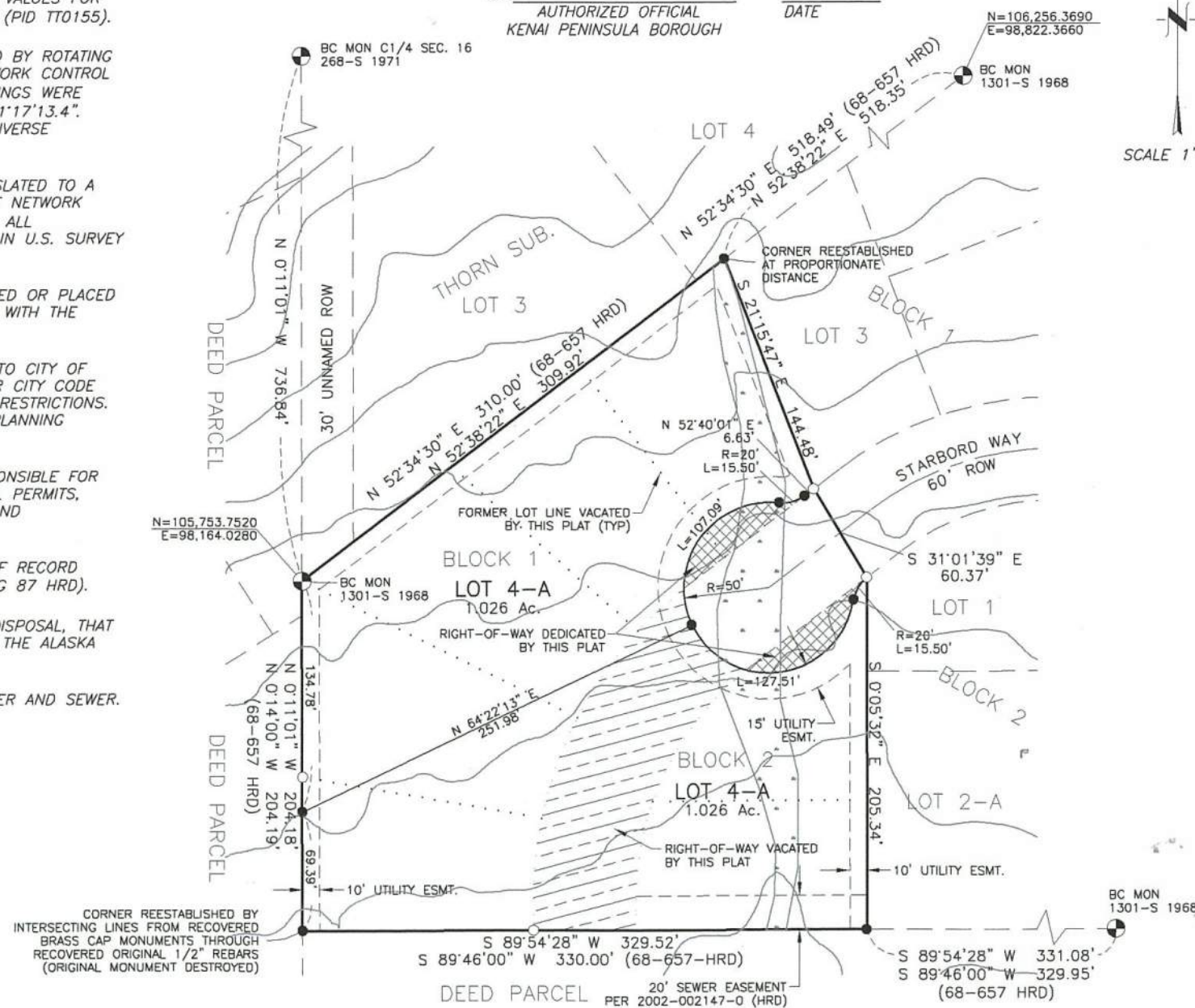
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

## PLAT APPROVAL

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

BY: \_\_\_\_\_  
AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE \_\_\_\_\_



## CERTIFICATE OF ACCEPTANCE

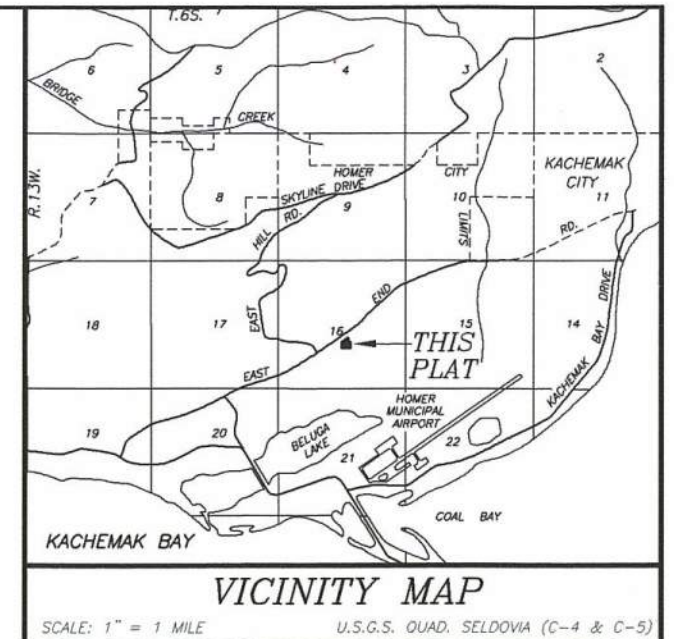
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 15' FEET ADJACENT TO ALL STREET ROW'S AND WITHIN THE 5' SETBACK FROM ALL SIDE LINES.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED CITY OFFICIAL  
CITY OF HOMER, ALASKA

DATE: \_\_\_\_\_



## CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAN 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.

KEVIN S. FRALEY, JR.  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

PAMELA J. FRALEY  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

## LEGEND

- INDICATES PRIMARY MONUMENT RECOVERED AS SHOWN
- INDICATES 1/2" REBAR RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2017) SET THIS SURVEY

HOMER RECORDING DISTRICT KPB FILE No. 2017-???

## MARINER VILLAGE SUBDIVISION FRALEY REPLAT

COMBINING LOTS 4-8, BLOCK 1, AND LOTS 4 & 5, BLOCK 2, MARINER VILLAGE SUBDIVISION (68-657 HRD), INTO LOT 4-A, BLOCK 1, AND LOT 4-A, BLOCK 2  
LOCATED WITHIN THE NW1/4 SE1/4, SEC 16, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 2.240 ACRES

OWNERS:  
KEVIN S. FRALEY, JR. AND PAMELA J. FRALEY  
3670 POPPY CIRCLE HOMER, AK 99603

## GEOVERA, LLC

PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: scsmith@gci.net

DRAWN BY: SCS	DATE: APRIL 2017	SCALE: 1" = 60'
CHK BY: SCS	JOB #16-54	SHEET 1 OF 1





Geovera, LLC

PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

May 4, 2017

City of Homer  
Planning Department  
Julie Engebretsen, Deputy City Planner  
491 E. Pioneer Ave.  
Homer, Alaska 99603

RE: Mariner Village Subdivision Fraley Replat

Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Mariner Village Subdivision Fraley Replat.

As we discussed in our meeting last month, the subdivision vacates lots 4-8, Block 1, and lots 4 and 5, Block 2 of the original Mariner Village Subdivision. This plat also vacates a portion of the Starbord Way right-of-way and provides a 50 foot radius cul-de-sac at the new terminus of the right-of-way. The new configuration results in two equal size lots that will have access to the existing water and sewer utilities in Starbord Way.

As per the city's request, the unnamed 30 foot wide right-of-way adjoining the northwest corner of the subdivision was not extended to the south.

The preliminary plat shows the limit of the wetlands per the delineation depicted in USACOE jurisdictional determination POA 2008-78, Beluga Lake.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345. Thanks!

Sincerely,

Stephen C. Smith P.L.S.

RECEIVED

MAY 05 2017

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, June 07, 2017 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

**A proposal to vacate a portion of Starboard Way and dedicate a cul-de-sac. The new road dedication will serve 2 larger lots created from 7 smaller lots as part of a subdivision action. The properties affected are lots 4-8, block 1 and lots 4 & 5, block 2, of Mariner Village Subdivision NW ¼ SE ¼, SEC 16, T. 6 S., R. 13 W., Seward Meridian.**

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 Rick Abboud at the Planning and Zoning Office, 235-3106.

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

.....

**VICINITY MAP ATTACHED**

## NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

### **Mariner Village Subdivision Fraley Replat Preliminary Plat**

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, June 07, 2017 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters 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 in the Planning and Zoning Office, 235-3106.

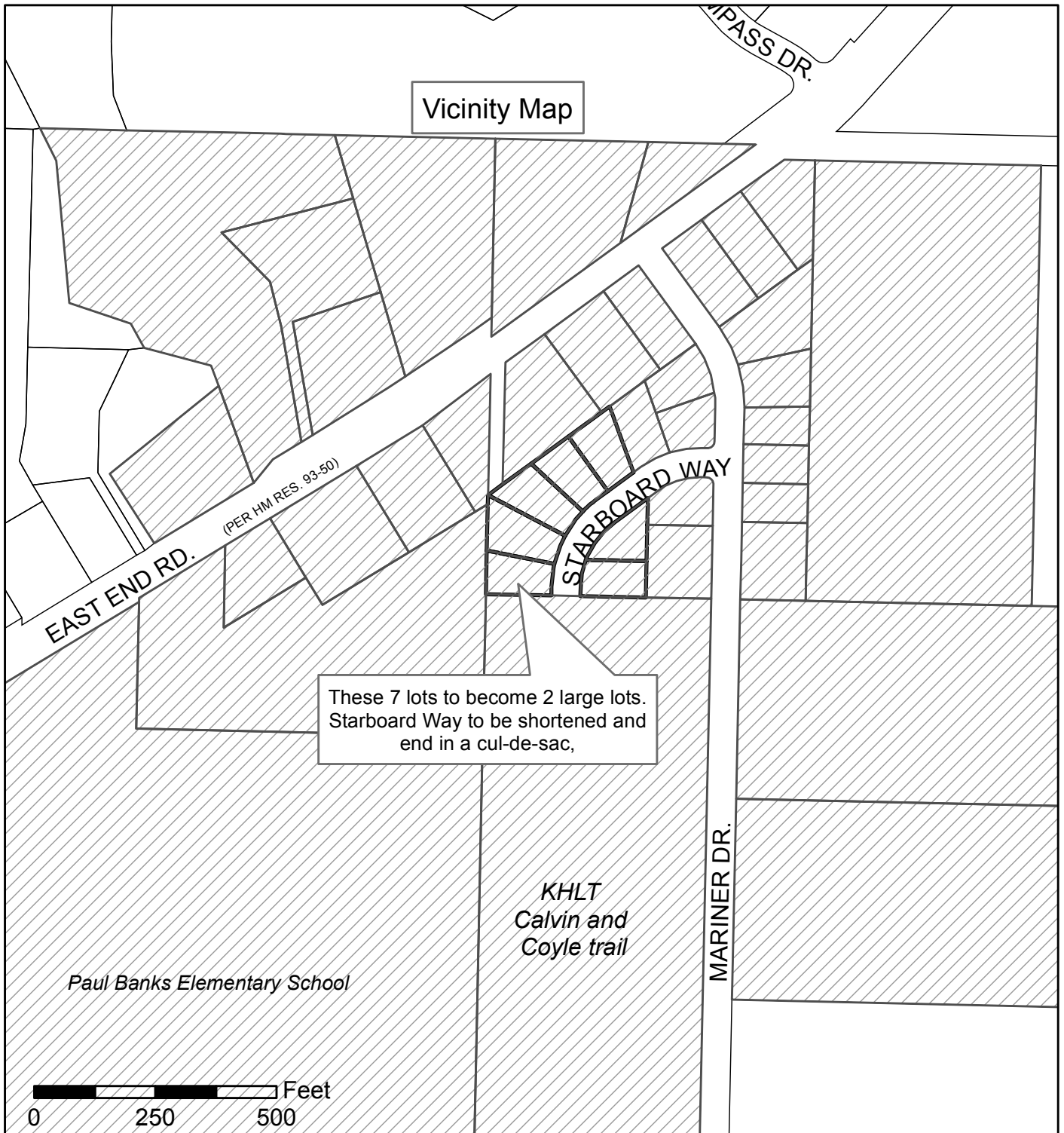
**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.**

.....

**VICINITY MAP ATTACHED**



# Vicinity Map



City of Homer  
Planning and Zoning Department  
May 23, 2017

## Mariner Village Subdivision Fraley Replat Preliminary Plat and Starboard Way Right of Way Vacation

Marked lots are within 500 feet  
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.



NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY GPS WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T10155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999966596.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A COORDINATE SYSTEM BASED ON THE FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T10155). ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. COORDINATE WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
6. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
7. THE LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 87 HRD).
8. WASTEWATER DISPOSAL: PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE WITH THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
9. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

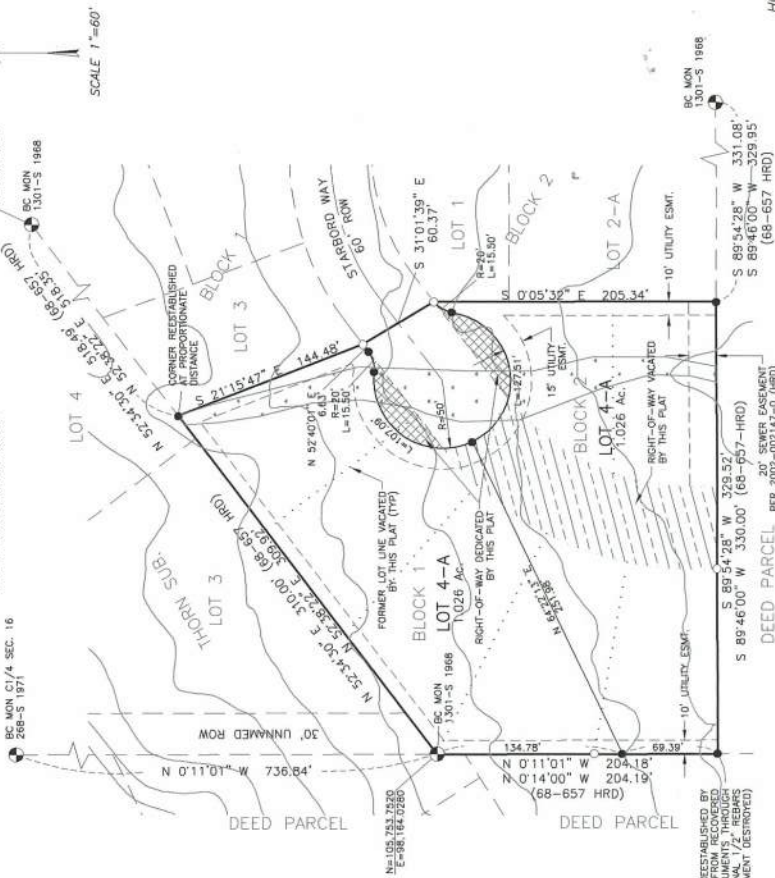
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

PLAT APPROVAL

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

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE: \_\_\_\_\_  
SEC. 16  
200-3 1971



CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE LANDS IDENTIFIED BY THIS PLAT, INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 15' FEET ADJACENT TO ALL STREET ROW'S AND WITHIN THE 5' FEET ADJACENT TO ALL SIDE LINES.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED CITY OFFICIAL  
CITY OF HOMER, ALASKA

INDICATES WETLANDS PER USACE  
JURISDICTIONAL DETERMINATION  
POA 2008-78, BELUGA LAKE



VICINITY MAP

SCALE: 1" = 1 MILE  
U.S.G.S. QUAD. SELENOVA (C-4 & C-3)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NEARLY SHOWN AND DESCRIBED HEREON THAT WE HAVE THE RIGHT TO CONVEY THE SAME BY DEED, FREE OF ALL ENCUMBRANCES, AND GRANT ALL EASEMENTS TO THE AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

KEVIN S. FRALEY, JR.  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

PAMELA J. FRALEY  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

LEGEND

- INDICATES PRIMARY MONUMENT RECOVERED AS SHOWN
- INDICATES 1/2" REBAR RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALOP (7538-S, 2017) SET THIS SURVEY

HOMER RECORDING DISTRICT KPB FILE NO. 2017-???

MARINER VILLAGE SUBDIVISION  
FRALEY REPLAT

COMBINING LOTS 4-B, BLOCK 1, AND LOTS 4 & 5, BLOCK 2, MARINER VILLAGE SUBDIVISION (68-657 HRD), INTO LOT 4-A, BLOCK 1, AND LOT 4-A, BLOCK 2, LOCATED WITHIN THE NW1/4 SEC 16, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, JUDICIAL DISTRICT, ALASKA CONTAINING 1.00 ACRES OWNERS:

KEVIN S. FRALEY, JR. AND PAMELA J. FRALEY  
3670 POPPY CIRCLE HOMER, AK 99603

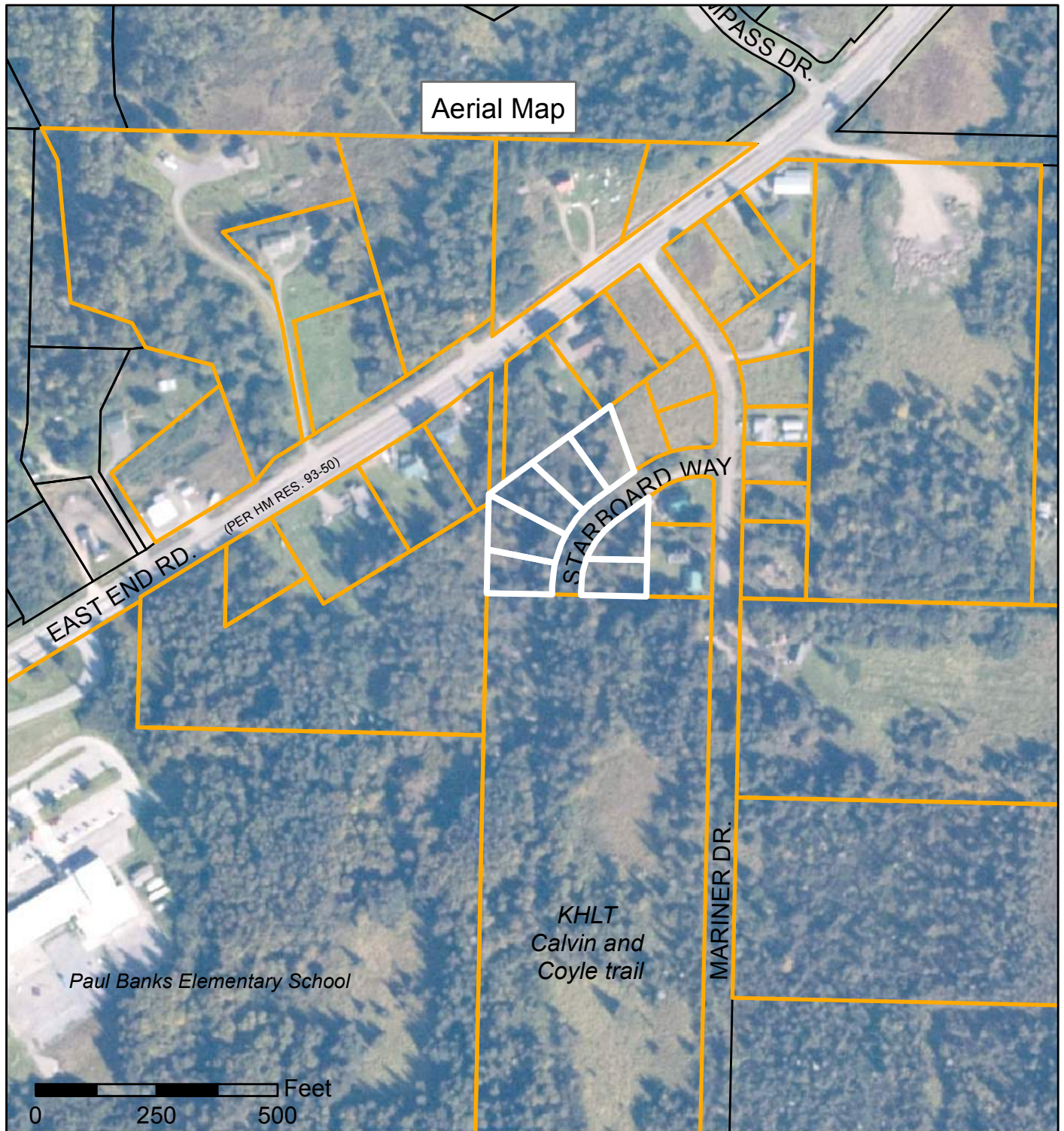
GEOVERA, LLC

PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: scsmith@geci.net

DRAWN BY: SCS  
CHK BY: SCS  
DATE: APRIL 2017  
JOB #16-54  
SCALE: 1" = 60'  
SHEET 1 OF 1







City of Homer  
Planning and Zoning Department  
May 23, 2017

# Mariner Village Subdivision Fraley Replat Preliminary Plat and Starboard Way Right of Way Vacation

Marked lots are within 500 feet  
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.





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 17-56

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: June 7, 2017  
SUBJECT: Mariner Village Subdivision Fraley Replat Preliminary Plat

**Requested Action:** Preliminary Plat approval. Vacation of seven lot lines, dedication of a cul-de-sac, and creation of two large lots.

#### General Information:

Applicants:	Kevin and Pamela Fraley 3760 Poppy Circle Homer, AK 99603	Geovera LLC Steve Smith, LS PO Box 3235 Homer, AK 99603
Location:	West of Mariner Drive, on Starboard Way	
Parcel ID:	179270- 007, 005, 006, 012, 013, 004, 008	
Size of Existing Lot(s):	approximately 1/4 to 1/3 acres each	
Size of Proposed Lots(s):	1.026 and 1.026 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Residential/Vacant South: Vacant/Conservation East: Residential West: Residential/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:	The 2005 wetlands mapping shows wetland areas. A more recent and site specific ACOE jurisdictional determination shows the area is uplands, except for a drainage area.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	

Public Notice:	Notice was sent to 37 property owners of 41 parcels as shown on the KPB tax assessor rolls.
----------------	---

**Analysis:** This subdivision is within the Rural Residential District. This plat vacates the common lot lines between seven lots, to create two larger lots and a cul-de-sac.

**Homer City Code 22.10.051 Easements and rights-of-way**

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

**Staff Response:** The plat meets these requirements.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

**Staff Response:** The plat meets these requirements. No additional easements are needed.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

**Staff Response:** The plat meets these requirements. No public access corridors are noted. The land to the south contains public trails.

**Preliminary Approval, per KPB code 20.25.070 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.

- A. Within the Title Block:
  - 1. 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 plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
  - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

**Staff Response:** The plat meets these requirements.

- B. North point;

**Staff Response:** The plat meets these requirements.

- C. 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 or political subdivisions or municipal corporation boundaries abutting the subdivision;



**Staff Response:** The plat meets these requirements.

- D. 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 plat meets these requirements.

- E. 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 reservations that could affect the subdivision;

**Staff Response:** The plat meets these requirements.

- F. The names and widths of public streets and alleys and 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.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

**Staff Response:** The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

**Staff Response:** The plat meets these requirements. ACOE JD POA 2008-78 is shown.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

**Staff Response:** Not applicable.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

**Staff Response:** The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

**Staff Response:** The plat meets these requirements. City utilities are not within the boundary of this subdivision, but will be extended to serve the lots. The land owner is in contact with the city on this issue and is aware an installation agreement for water and sewer is required.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

**Staff Response:** The plat meets these requirements.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

**Staff Response:** The plat meets these requirements.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

**Staff Response:** The plat meets these requirements. No encroachments are apparent.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

**Staff Response:** The plat meets these requirements.

**Public Works Comments:** An installation agreement is required for this plat.

**Fire Department Comments:** No Fire Department issues with these actions.

**Staff Recommendation:**

Planning Commission recommend approval of the preliminary plat.

**Attachments:**

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map



1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HiPer V RECEIVERS, DIFFERENTIALLY COLLECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID TT0155).

3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.

5. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.

7. THE LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 87 HRD).

9. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

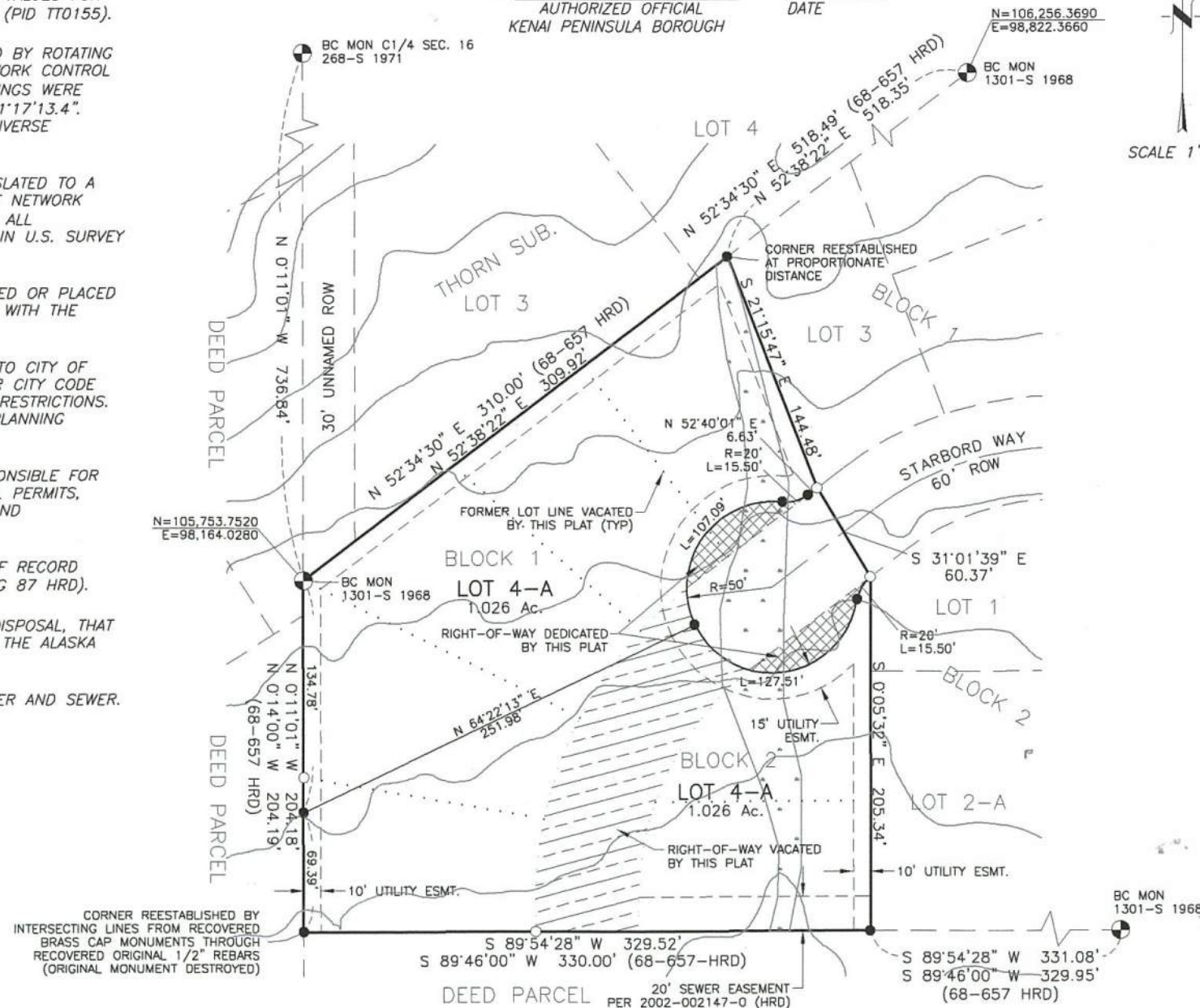
MY COMMISSION EXPIRES:

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

MY COMMISSION EXPIRES:

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

DATE \_\_\_\_\_

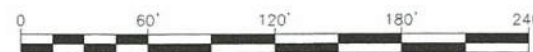


THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

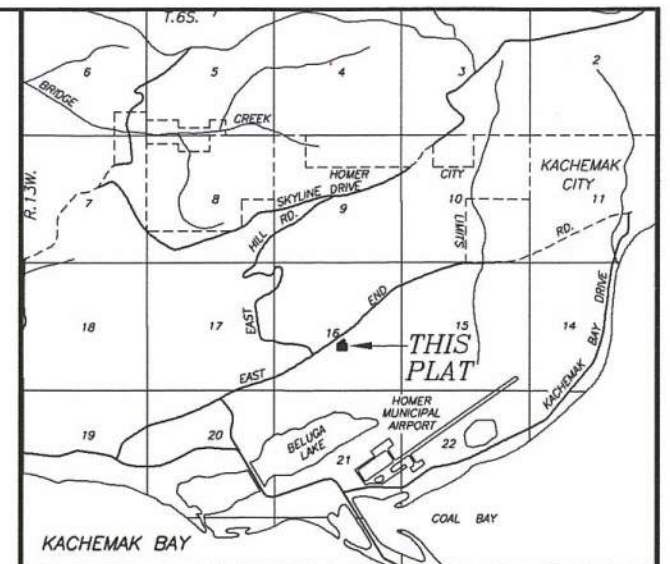
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

DATE: \_\_\_\_\_

INDICATES WETLANDS PER USACE  
JURISDICTIONAL DETERMINATION  
POA 2008-78, BELUGA LAKE



GRAPHIC SCALE



SCALE: 1" = 1 MILE

U.S.G.S. QUAD. SELDOVIA (C-4 &amp; C-5)

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAN 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.

PAMELA J. FRALEY  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

INDICATES PRIMARY MONUMENT RECOVERED  
AS SHOWN

INDICATES 1/2" REBAR RECOVERED THIS SURVEY

INDICATES 5/8" X 30" REBAR WITH 2" ALCAP  
(7538-S, 2017) SET THIS SURVEY

HOMER RECORDING DISTRICT KPB FILE No. 2017-???

COMBINING LOTS 4-8, BLOCK 1, AND LOTS 4 & 5, BLOCK 2,  
MARINER VILLAGE SUBDIVISION (68-657 HRD), INTO LOT 4-A,  
BLOCK 1, AND LOT 4-A, BLOCK 2

LOCATED WITHIN THE NW1/4, SE1/4, SEC 16,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 2.240 ACRES

OWNERS:  
KEVIN S. FRALEY, JR. AND PAMELA J. FRALEY  
3670 POPPY CIRCLE HOMER, AK 99603

PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: [scsmith@gci.net](mailto:scsmith@gci.net)

DRAWN BY: SCS	DATE: APRIL 2017	SCALE: 1" = 60'
CHK BY: SCS	JOB #16-54	SHEET 1 OF 1





Geovera, LLC

PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

May 4, 2017

City of Homer  
Planning Department  
Julie Engebretsen, Deputy City Planner  
491 E. Pioneer Ave.  
Homer, Alaska 99603

RE: Mariner Village Subdivision Fraley Replat

Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of Mariner Village Subdivision Fraley Replat.

As we discussed in our meeting last month, the subdivision vacates lots 4-8, Block 1, and lots 4 and 5, Block 2 of the original Mariner Village Subdivision. This plat also vacates a portion of the Starbord Way right-of-way and provides a 50 foot radius cul-de-sac at the new terminus of the right-of-way. The new configuration results in two equal size lots that will have access to the existing water and sewer utilities in Starbord Way.

As per the city's request, the unnamed 30 foot wide right-of-way adjoining the northwest corner of the subdivision was not extended to the south.

The preliminary plat shows the limit of the wetlands per the delineation depicted in USACOE jurisdictional determination POA 2008-78, Beluga Lake.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345. Thanks!

Sincerely,

Stephen C. Smith P.L.S.

RECEIVED

MAY 05 2017

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, June 07, 2017 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

**A proposal to vacate a portion of Starboard Way and dedicate a cul-de-sac. The new road dedication will serve 2 larger lots created from 7 smaller lots as part of a subdivision action. The properties affected are lots 4-8, block 1 and lots 4 & 5, block 2, of Mariner Village Subdivision NW ¼ SE ¼, SEC 16, T. 6 S., R. 13 W., Seward Meridian.**

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 Rick Abboud at the Planning and Zoning Office, 235-3106.

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

.....

**VICINITY MAP ATTACHED**

## NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

### **Mariner Village Subdivision Fraley Replat Preliminary Plat**

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, June 07, 2017 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters 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 in the Planning and Zoning Office, 235-3106.

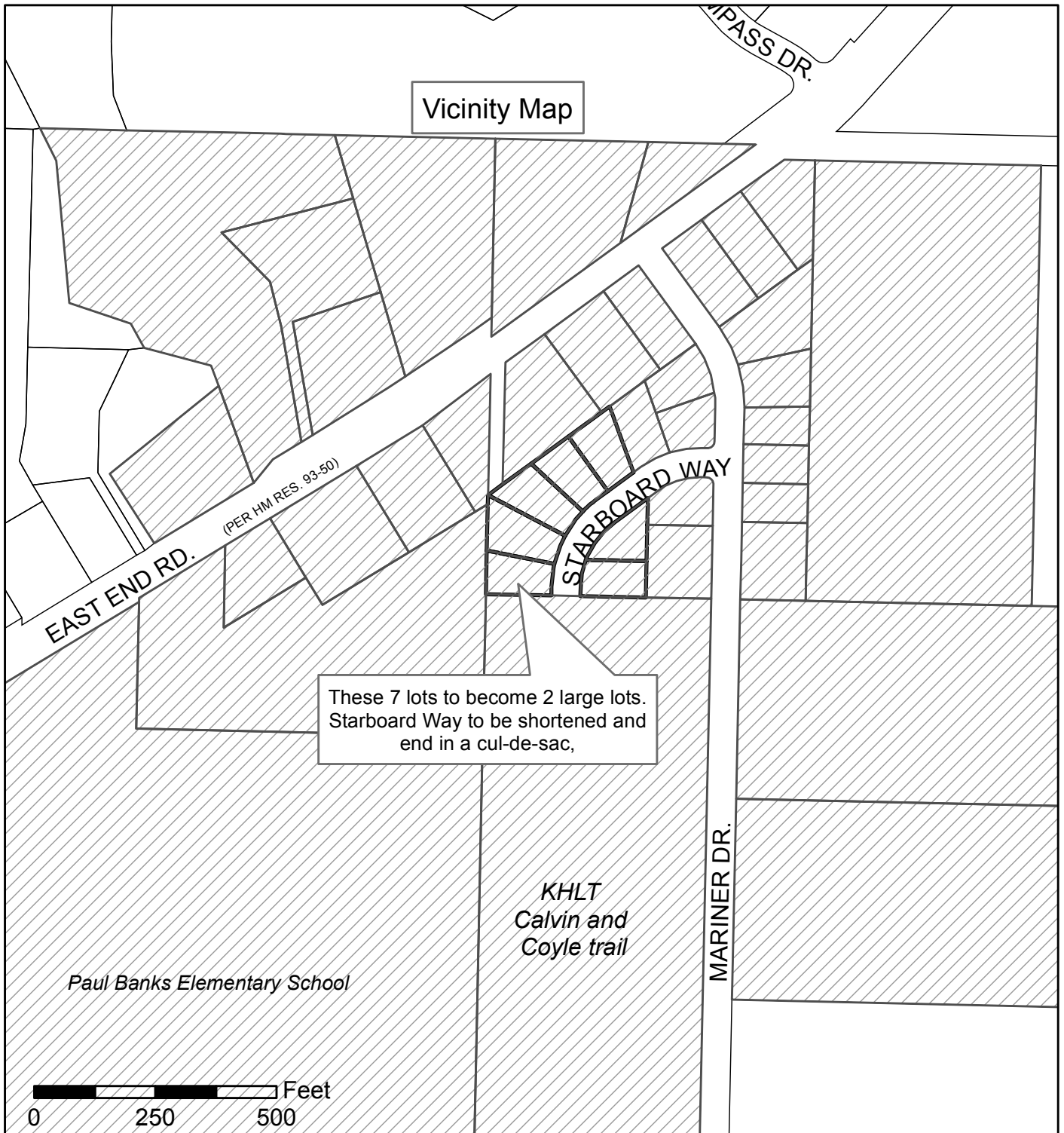
**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.**

.....

**VICINITY MAP ATTACHED**



# Vicinity Map



City of Homer  
Planning and Zoning Department  
May 23, 2017

## Mariner Village Subdivision Fraley Replat Preliminary Plat and Starboard Way Right of Way Vacation

Marked lots are within 500 feet  
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.



NOTES

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY GPS WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T10155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117°13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999966596.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A COORDINATE SYSTEM BASED ON THE FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T10155). ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. COORDINATE VALUES WERE OBTAINED FROM THE HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
6. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
7. THE LOT IS AFFECTED BY A BLANKET EASEMENT OF RECORD GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 87 HRD).
8. WASTEWATER DISPOSAL: PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE WITH THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
9. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2017.

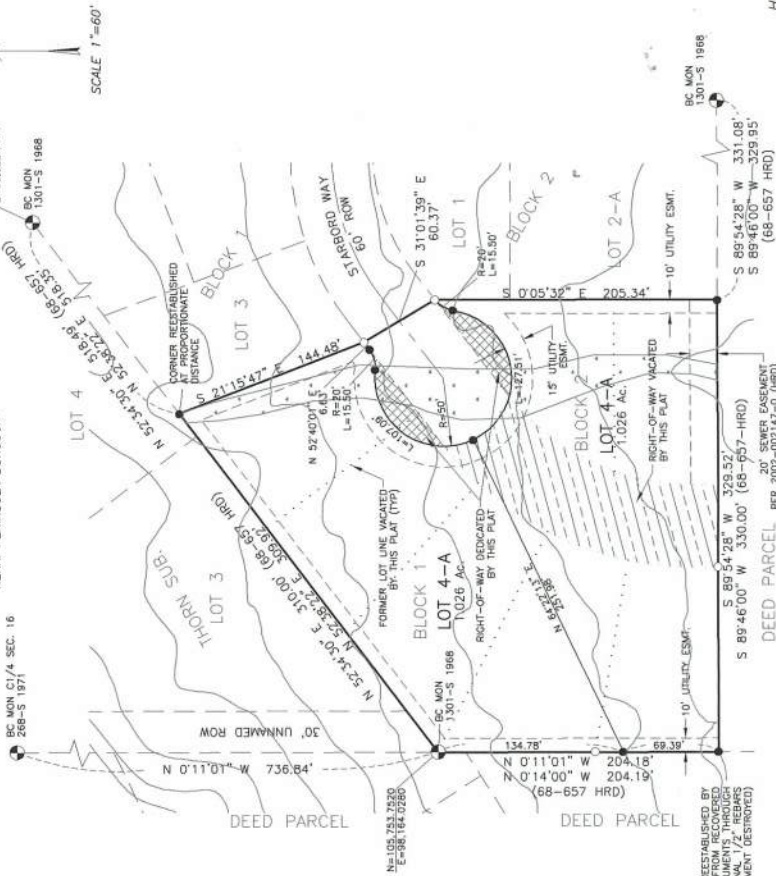
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

PLAT APPROVAL

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

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE: \_\_\_\_\_  
SEC. 16  
200-3 1971



CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE LANDS IDENTIFIED BY THIS PLAT, INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 15' FEET ADJACENT TO ALL STREET ROW'S AND WITHIN THE 5' FEET ADJACENT TO ALL SIDE LINES.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ NAME AND TITLE OF AUTHORIZED CITY OFFICIAL  
CITY OF HOMER, ALASKA

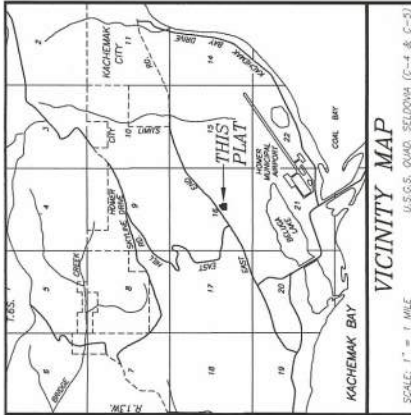
DATE: \_\_\_\_\_



INDICATES WETLANDS PER USACE JURISDICTIONAL DETERMINATION  
POA 2008-78, BELUGA LAKE



GRAPHIC SCALE



VICINITY MAP

SCALE: 1" = 1 MILE  
U.S.G.S. QUAD. SEEDONA (C-4 & C-3)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NEARLY SHOWN AND DESCRIBED HEREON THAT WE HAVE BEEN FULLY ADVISED OF THE RIGHTS OF THE PUBLIC FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

KEVIN S. FRALEY, JR.  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

PAMELA J. FRALEY  
3670 POPPY CIRCLE  
HOMER, ALASKA 99603

LEGEND

- INDICATES PRIMARY MONUMENT RECOVERED AS SHOWN
- INDICATES 1/2" REBAR RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCOA (7538-S, 2017) SET THIS SURVEY

HOMER RECORDING DISTRICT KPB FILE NO. 2017-???

MARINER VILLAGE SUBDIVISION  
FRALEY REPLAT

COMBINING LOTS 4-8, BLOCK 1, AND LOTS 4 & 5, BLOCK 2, MARINER VILLAGE SUBDIVISION (68-657 HRD), INTO LOT 4-A, BLOCK 1, AND LOT 4-A, BLOCK 2  
LOCATED WITHIN THE NW1/4 SEC 16, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, JUDICIAL DISTRICT, ALASKA CONTAINING 2.40 ACRES

OWNERS:  
KEVIN S. FRALEY, JR. AND PAMELA J. FRALEY  
3670 POPPY CIRCLE HOMER, AK 99603

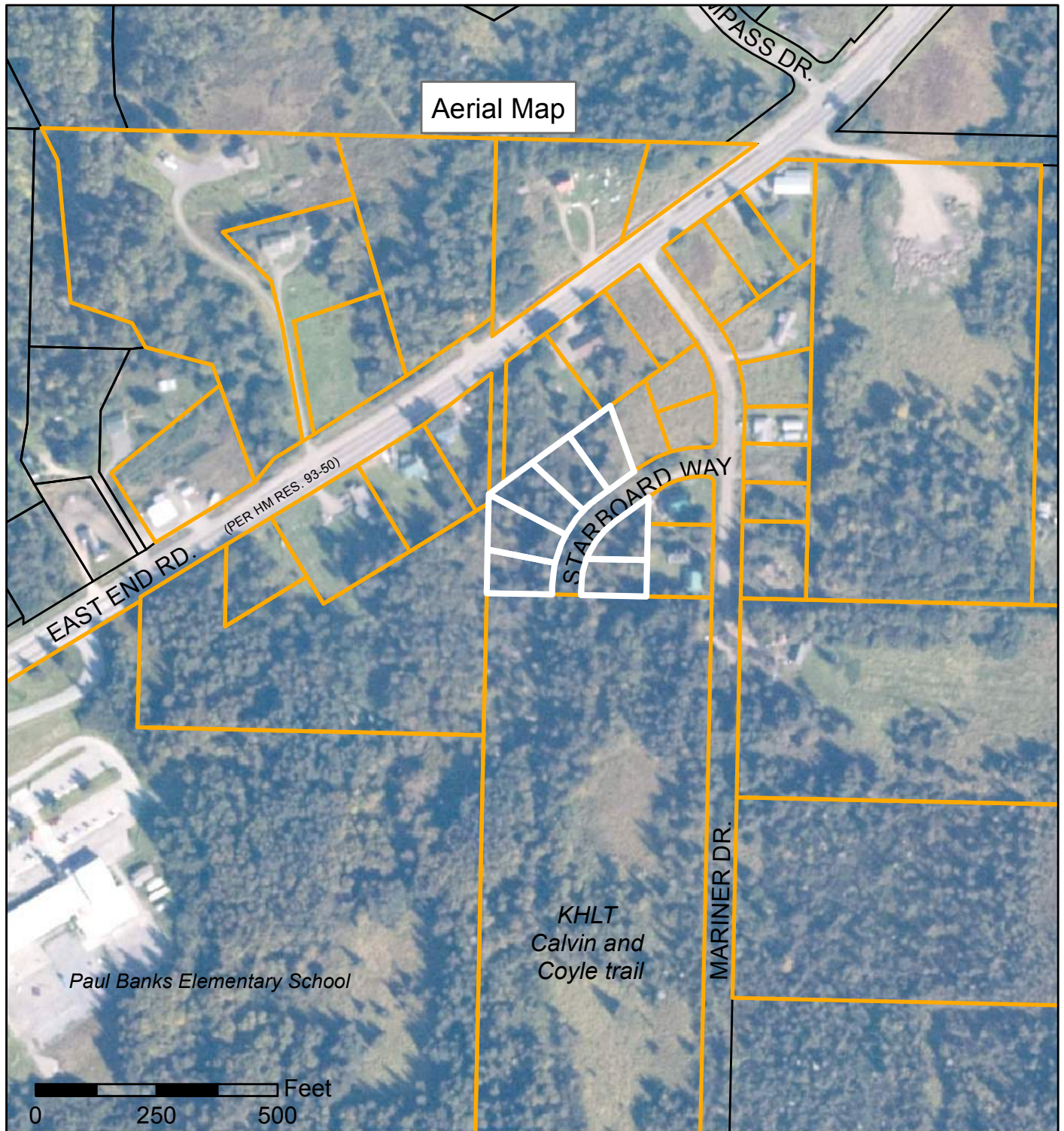
GEOVERA, LLC

PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: scsmith@gcinc.net

DRAWN BY: SCS  
CHK BY: SCS  
DATE: APRIL 2017  
JOB #16-54  
SCALE: 1" = 60'  
SHEET 1 OF 1







City of Homer  
Planning and Zoning Department  
May 23, 2017

## Mariner Village Subdivision Fraley Replat Preliminary Plat and Starboard Way Right of Way Vacation

Marked lots are within 500 feet  
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.





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report 17-57

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: June 7, 2017  
SUBJECT: Foothills Subdivision Sunset View Estates Addition No. 3

**Requested Action:** Preliminary Plat approval.

#### General Information:

Applicants:	Jeffery Cabana Sunset View Estates LLC PO Box 49 Homer, AK 99603	Gary Nelson, PLS Ability Surveys 152 Dehel Ave Homer, AK 99603
	Larry and Dawn Cabana PO Box 3388 Homer, AK 99603	
Location:	North of Soundview Ave, one block north of West Homer Elementary School	
Parcel ID:	17510217, 17510250	
Size of Existing Lot(s):	1 acre and 26.99 acres	
Size of Proposed Lots(s):	2.428, 0.623, 0.811 and 24.032 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Vacant, city parkland, future residential South: Residential East: Residential/Vacant West: Vacant/future residential. Eric Lane is constructed to the western property boundary.	
Comprehensive Plan:	Future land use map shows this area as Transitional, R-2.	
Wetland Status:	The 2005 mapping shows wetland areas. The applicant already has an ACOE approved delineation and permit for the whole subdivision. The applicant is working with ACOE to see if the	



	permit will need to be modified for the change in subdivision plans.
Flood Plain Status:	Zone D, flood hazards undetermined.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available
Public Notice:	Notice was sent to 104 property owners of 112 parcels as shown on the KPB tax assessor rolls.

**Analysis:** This subdivision is within the Rural Residential District. This plat:

1. Enlarges lot A-1,
2. Creates lots 1 and 2,
3. Dedicates a portion of Tajen Lane (that will be constructed), and
4. Leaves Tract B as the remainder for future development.
5. Creates easements to preserve future road corridors.

The route of Eric Lane is well established with the existing water and natural gas mains, and is mapped in the 2005 Transportation Plan, part of the Homer Comprehensive Plan. The extension of Tajen lane to the north is required to meet block length standards.

The main issue with this platting action is not the subdivision of land, but rather a conflict between City and Kenai Peninsula Borough codes. The reason this code conflict is coming up now, is that the Kenai Peninsula Borough recently updated their subdivision code. Understandably, the platting issues borough wide in the mostly rural areas are different from the cities. This is the first plat within the city to encounter this issue, but there will be others. Ultimately, the City may need to recommend a code change to the Kenai Peninsula Borough.

Under City Code, when a developer dedicates right of way, they must build (or bond) for the road and utility improvements (HCC 22.10.050). The City has a history of allowing developers to record plats in phases, as they complete construction. The Borough does not require construction of roads, but they do require platting of through streets in subdivisions, and these streets must be dedicated in the first phase. In this platting action, under KPB code the developer would have to dedicate Eric Lane and the extension of Tajen Lane. But under city code, they must be constructed. The developer is unable to fully construct the roads at this time, and would like to continue to develop in phases.

What to do? Borough requires through street dedication, City does not when development is phased. How can the City and Borough ensure the road connections are made in the future? A solution may lie in some type of easement or reserve area for future roadways. This would prevent a structure from being built in the future roadway, and also solidify the future road routes. The City lacks the legal expertise to say if this reserve area is a roadway easement, or right of way reserve, but the concept stands.

#### Continuation of Lingstrang Way

Staff does not recommend the extension of Lingstrang Way at this time. The subdivision to the west has a subdivision development agreement that has been largely unexecuted in the 30 years it has been

in place. Staff has worked with the adjoining property owners in the upper part of the subdivision, and at last conversation, they were considering vacating some rights of way to revert to a large tract. A future developer could then re-subdivide and build the infrastructure.

#### Fairview Ave

Along the north lot line, there is a section line easement that is the continuation of Fairview Ave. Staff has no comment on dedicating a right of way vs leaving the section line in place. Background information: There is constructed driveway access to the three lots with legal access in this area. Tract E is a city park with constructed trail access, as well as legal and physical access from Reber Road. The City does not intend to construct the section line as a road all the way to West Hill as the slopes are too steep.

#### **Homer City Code 22.10.051 Easements and rights-of-way**

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

**Staff Response:** 15 foot utility easements to be added long dedicated rights of way.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

**Staff Response:** The plat meets these requirements. City water is already in place along Eric Lane. The proposed road easements are adequate for future sewer installation.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

**Staff Response:** The plat meets these requirements.

**Preliminary Approval, per KPB code 20.25.070 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.

- A. Within the Title Block:
  - 1. 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 plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
  - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

**Staff Response:** The plat generally meets these requirements. Add ownership information for Lot A-1.

B. North point;

**Staff Response:** The plat meets these requirements.

C. 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 or political subdivisions or municipal corporation boundaries abutting the subdivision;

**Staff Response:** The plat meets these requirements.

D. 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 plat meets these requirements.

E. 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 reservations that could affect the subdivision;

**Staff Response:** The plat meets these requirements. Plat note 3 states that the road easement areas are provided for future right of way dedications.

F. The names and widths of public streets and alleys and 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.

G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

**Staff Response:** The plat meets these requirements.

H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

**Staff Response:** The plat meets these requirements. Preliminary wetlands are shown. In the future when more of the subdivision is planned, a large scale drainage plan with easements will be required.

I. Approximate locations of areas subject to tidal inundation and the mean high water line;

**Staff Response:** The plat meets these requirements. Not applicable in this area.

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

**Staff Response:** The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

**Staff Response:** The plat does not meet these requirements however the information is on file with the city.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

**Staff Response:** The plat meets these requirements. Road grade of the dedication of Tajen Lane has been discussed with Public Works, as has the grade of the future dedication.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

**Staff Response:** The plat meets these requirements. Darker grey areas note areas over 20% slope.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

**Staff Response:** The plat meets these requirements. No encroachments are apparent.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

**Staff Response:** The plat does not meet these requirements. Homer City code does not require full dedication of all streets in the first phase. The City and the developer are in agreement on the route of future rights of way and ask for an exception to this requirement.

**Public Works Comments:** The foothills Sub will require an installation agreement before recording the plat. The following requirements for the installation agreement:

1. Extension of water and sewer mains through the full frontage of lot 1 (end of dedicated ROW), providing service stub- outs to lots 1 and 2.
2. Construct the dedicated ROW this plat Per COH code and standard construction detail 200.01 (gravel rd)

**Fire Department Comments:** No Fire Department issues with this action.

**Staff Recommendation:**

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

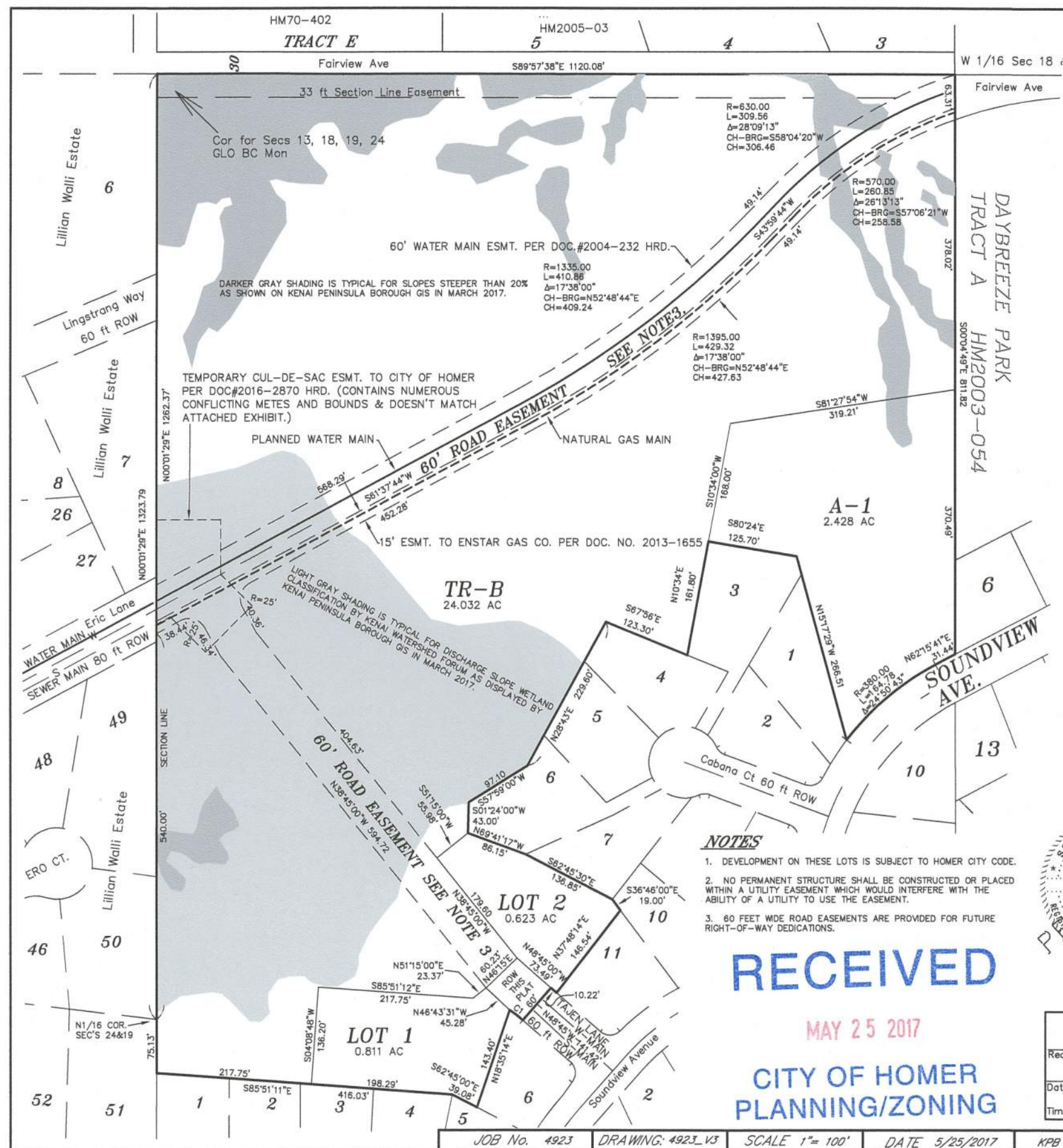
1. Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits. (OR reference any current ACOE permitting for the subdivision by plat note).

2. Dedicate 15 foot utility easements along all dedicated rights of way
3. The City requires a 20-foot building setback from rights of way. Create a 20-foot building setback along the road easements, for a total no-build width of 100 feet.
4. Add ownership information for Lot A-1.
5. The Commission requests an exception to KPB 20.30.030 to allow for phasing without through street dedication until such time as the developer can dedicate and construct the street to city specifications.

**Attachments:**

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map





### CERTIFICATE OF OWNERSHIP

I hereby certify that SUNSET VIEW ESTATES LLC is the owner of the real property shown and described hereon, and that SUNSET VIEW ESTATES LLC does hereby adopt this plan of subdivision, and by their free consent dedicate all public rights-of-way and grant all easements and public areas to the use shown.

JEFFERY J. CABANA  
AUTHORIZED REPRESENTATIVE FOR SUNSET VIEW ESTATES LLC  
P.O. Box 49  
HOMER, AK 99603

### NOTARY'S ACKNOWLEDGEMENT

For: Jeffery J. Cabana  
Acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2017.

Notary public for Alaska \_\_\_\_\_ My Commission Expires \_\_\_\_\_

### WASTEWATER NOTE

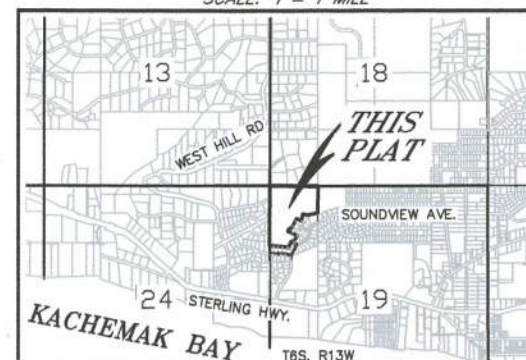
PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS, ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

### PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
KENAI PENINSULA BOROUGH

BY \_\_\_\_\_  
Authorized Official

VICINITY MAP  
SCALE: 1" = 1 MILE



### FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION No. 3

A SUBDIVISION OF THAT PORTION OF GOVERNMENT LOTS 1 AND 2, LYING NORTH OF FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES No. 2 PHASE ONE (HM2007-31) TOGETHER WITH TRACT A, SUNSET VIEW ESTATES No. 1 (HM2005-68) IN THE NW1/4 SECTION 19, T6S, R13W, S.M., IN THE KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 27.985 ACRES

OWNER:  
SUNSET VIEW ESTATES LLC  
P.O. BOX 49  
HOMER, AK 99603

ABILITY SURVEYS  
GARY NELSON, PLS  
(907) 235-8440  
152 DEHEL AVE., HOMER ALASKA 99603

### NOTES

1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. 60 FEET WIDE ROAD EASEMENTS ARE PROVIDED FOR FUTURE RIGHT-OF-WAY DEDICATIONS.

RECEIVED

MAY 25 2017

CITY OF HOMER  
PLANNING/ZONING



PLAT #

Rec Dist \_\_\_\_\_  
Date \_\_\_\_\_ 20\_\_\_\_  
Time \_\_\_\_\_ M

JOB No. 4923 DRAWING: 4923\_V3 SCALE 1" = 100' DATE 5/25/2017 KPB FILE No. 2017-\_\_\_\_\_





# ABILITY SURVEYS

*SURVEYING HOMER SINCE 1975*

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING  
152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

5/18/2017

City of Homer Planning Dept.  
491 E. Pioneer Ave.  
Homer, AK 99603

Re: Preliminary Plat submittal of **FOOTHILLS SUBDIVISION, SUNSET VIEW ESTATES ADDITION No. 3.**

Enclosed herewith are 1 reduced to 11 X 17 copy of the revised preliminary plat and 1 full sized 24"X 36" copy.

Leroy Cabana will be discussing this with you. We needed to get it in for the plat submittal deadline.

Thank you for your assistance and consideration in this endeavor. Please don't hesitate to call for any reason.

*Gary Nelson, PLS*

RECEIVED

MAY 19 2017

CITY OF HOMER  
PLANNING/ZONING



## NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

### **Foothills Subdivision Sunset View Estates Addition No. 3 Preliminary Plat**

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, June 07, 2017 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters 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.

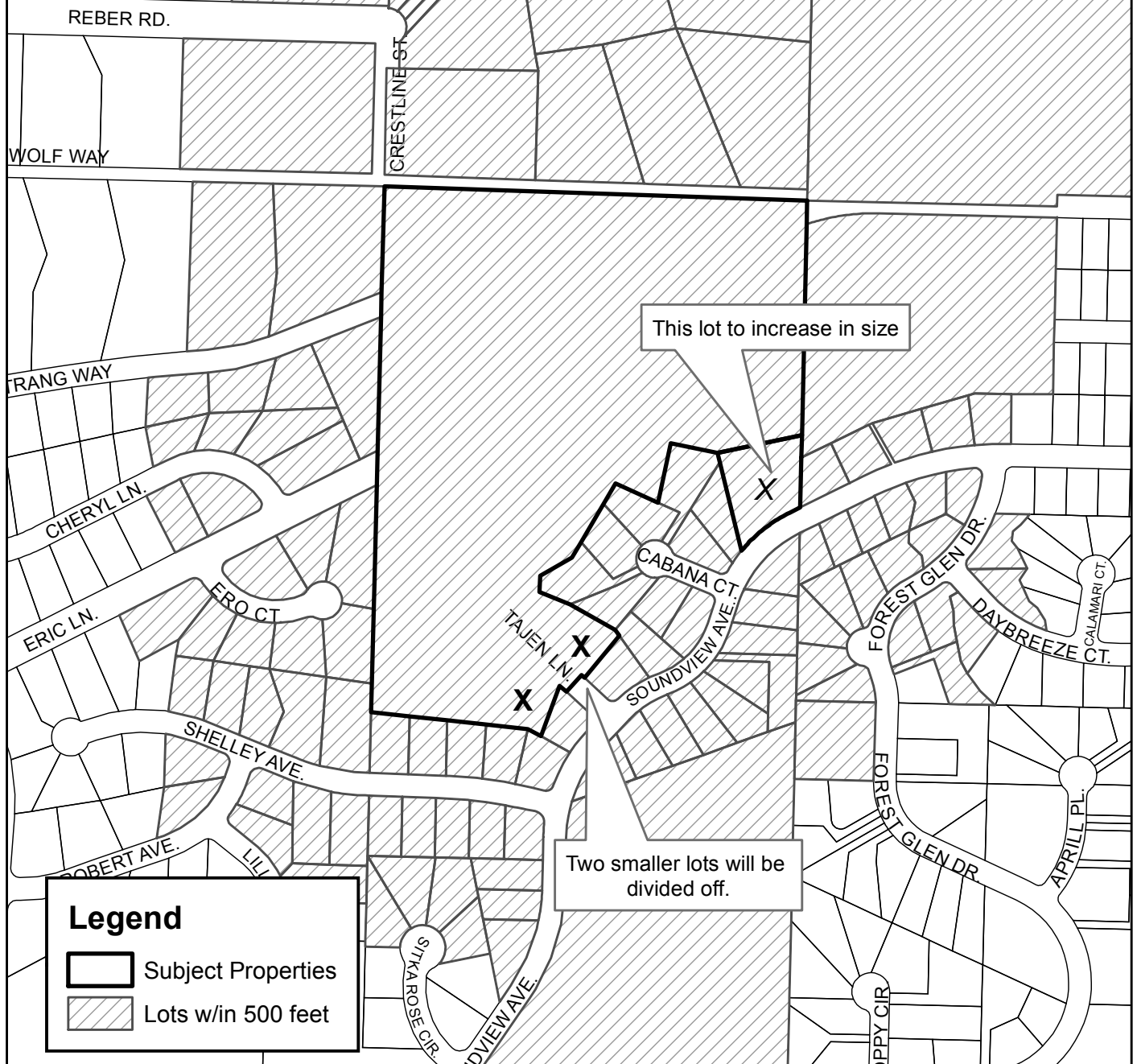
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown in the Planning and Zoning Office, 235-3106.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.**

.....

**VICINITY MAP ON REVERSE**

# Vicinity Map



City of Homer  
Planning and Zoning Department

5/25/2017

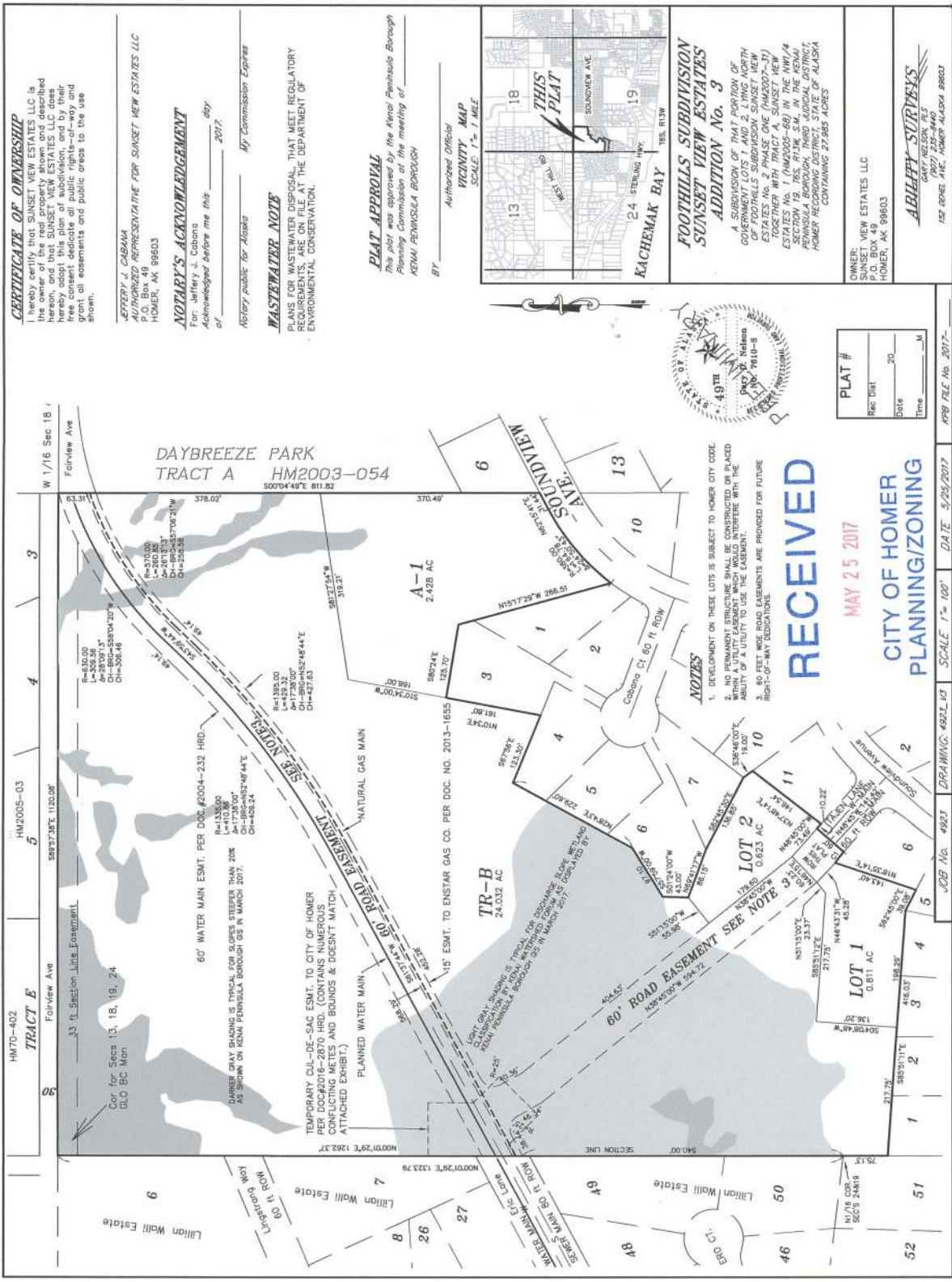
## Foothills Subdivision Sunset View Estates Addition No. 3 Preliminary Plat

Lots within 500 feet are marked  
and property owners notified.

0 250 500 Feet



**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.



**CERTIFICATE OF OWNERSHIP**  
I hereby certify that SUNSET VIEW ESTATES LLC is the owner of the real property shown and described herein, and that SUNSET VIEW ESTATES LLC does hereby adopt this plan of subdivision, and by their adoption, the said owner, its successors and assigns grant all easements and public areas to the use shown.

JEFFERY J. CABANA  
ATTORNEY-AT-LAW  
REPRESENTATIVE FOR SUNSET VIEW ESTATES LLC  
P.O. Box 49  
HOMER, AK 99603

**NOTARY'S ACKNOWLEDGEMENT**  
For: Jeffery J. Cabana  
Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
Notary Public for Alaska  
My Commission Expires \_\_\_\_\_

**WASTEWATER NOTE**  
PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS SHALL BE SUBMITTED TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**PLAT APPROVAL**  
This plat was approved by the Ketchikan Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
KETCHIKAN PENINSULA BOROUGH  
BY \_\_\_\_\_  
Authorized Official  
VICINITY MAP  
SCALE: 1"= 1 MILE

**FOOTHILLS SUBDIVISION  
SUNSET VIEW ESTATES  
ADDITION No. 3**  
A SUBDIVISION OF THAT PORTION OF GOVERNMENT LOTS 1 AND 2, LYING NORTH OF FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES, PLACED IN THE PUBLIC DOMAIN TOGETHER WITH TRACT A-1, SUNSET VIEW ESTATES No. 1 (HM2003-68) IN THE NW1/4 SECTION 19, T8S, R13W, S.M. IN THE KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDATION DISTRICT 16, ALASKA, CONTAINING 27.585 ACRES

OWNER:  
SUNSET VIEW ESTATES LLC  
P.O. BOX 49  
HOMER, AK 99603

**ABILITY SURVEYS**  
GARY NELSON, P.L.S.  
152 DENEL AVE., HOMER ALASKA 99603

**RECEIVED**  
MAY 25 2017  
CITY OF HOMER  
PLANNING/ZONING

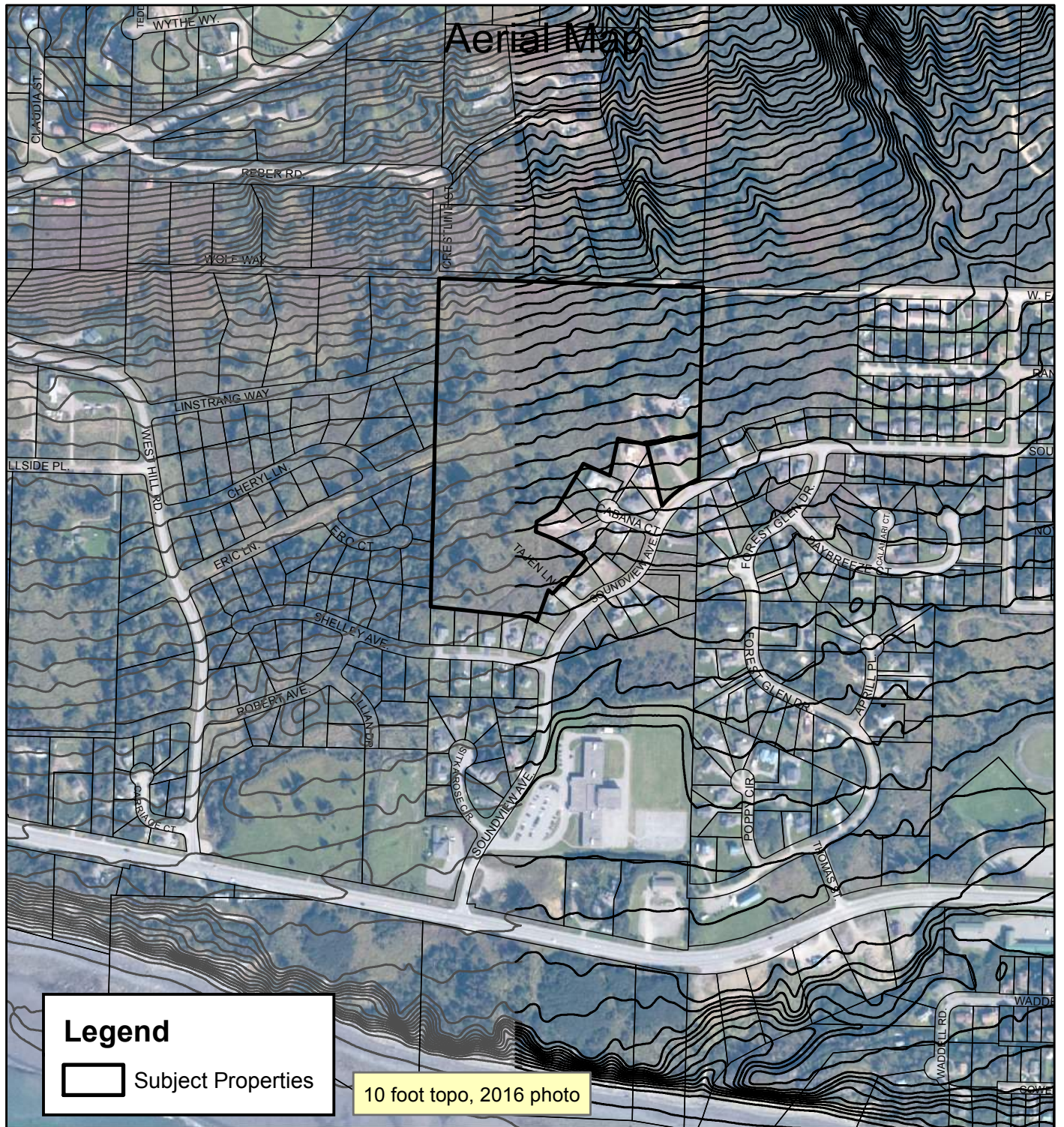
**NOTES**  
1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.  
2. PERMANENT EROSION SHALL BE CONSIDERED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.  
3. 60 FEET WIDE ROAD EASEMENTS ARE PROVIDED FOR FUTURE RIGHT-OF-WAY DEDICATIONS.

**PLAT #**  
Rec Dist \_\_\_\_\_  
Date \_\_\_\_\_  
Time \_\_\_\_\_

**JOB No. 4923 DRAWING: 4923-13 SCALE: 1"= 100' DATE: 5/25/2017 KPB FILE No. 2017-**







## Legend

 Subject Properties


10 foot topo, 2016 photo



City of Homer  
Planning and Zoning Department

5/25/2017

## Foothills Subdivision Sunset View Estates Addition No. 3 Preliminary Plat

 Feet  
0 250 500



**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.







# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report PL 17-58

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner  
DATE: June 7, 2017  
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use

---

#### Introduction

We are trying to finish our initial discussions to come up with a draft of chapter 4 that will be ready for public comments. I do not believe we should be changing much direction, but should cross-off the items that we have accomplished and put into perspective the items we have addressed and for one reason or another have chosen not to act. Additionally, some items may really be unfeasible due to the expected budget constraints that are expected for the next 5 years or more.

#### Analysis

Julie and I have made comments on several comments on the text of the Land Use Chapter. We have accomplished a lot of items from the Implementation Strategies. When reviewing the strategies, we need to consider our targets and how the plan provides guidance toward making items priorities. I am hoping that we have a full commission to make recommendation for the public draft.

I find myself in a quandary because we still find reference to our community character without defining what it means. Is it sort of like, I can't describe it, but know it when I see it? Cousin's dead boat yard is an example. It certainly represents some sort of character where half the people are appalled and the other half think it is cool. Considering its use as a graphic in national publications, it is certainly part of our character regardless of how you feel about it.

#### Goal 1. Objective A.

I want to consider elimination of this as it seems to restate the obvious (promoting policies consistent with the plan? Well yeah, that is why we make the plan). I also believe that we have completed the strategies.

#### Goal 1. Objective B.

I am considering reformatting the components of the Land Use Recommendations Map. The only things to get sorted out are the Downtown Mixed Use and CBD descriptions. I will likely

eliminate the list found on lines 154 – 192 and update appendix B and perhaps move the map to the appendix.

Goal 1. Objective D.

I want to consider this for elimination. We are definitely chasing the infrastructure around instead of planning the infrastructure for the desired development as the objective suggests. I find two policy statements that we may want to support; the encouragement of infill and the provision of water and sewer to residents of the City prior to serving nonresidents.

Goal 1. Objective E.

I propose consideration of our support for LEED projects. I question our support for LEED, especially adopting standards or providing technical assistance.

Goal 2. Objective B.

We are having a conversation in the office of the expectations of continuing to address the implementation strategies for which we recently addressed in code. Is this worthy of being a priority of the Comprehensive Plan at this time? If so, what are the expectations? Here is where we can review Appendix D. I would suggest the we do not alter Appendix D. Perhaps we could state a general strategy that states something like we will monitor how the regulations are working, leaving Appendix D as an example of strategies to consider.

Goal 3. Objective B.

Not seeing Implementation Strategy 6 as realistic and suggest removal.

Goal 3. Objective C.

Recommend removing this as a practical matter as we do not have the resources to take over platting.

Goals 4 and 5.

Here I need a reality check. I have concerns about stating policy regarding affordable housing. Unless we become a financial contributor to this goal, what can the city actually do? We do not develop or even have the type of developmental demand to create policies that might somehow influence or supplement the market forces. We have developed minimal multifamily units in recent years and we continually find that developments are being built a structure at a time and developers are unable to fund large subdivisions that take decades to fill. We can make rules that allow for consideration of greater densities, but we need someone to take advantage of the opportunities. Here we are at the mercy of the markets and our influence is minimal in consideration of what is getting built.

Land Use Recommendations Map suggestions

Delete East End RO Commercial Mixed use – base of East Hill

Expand UR into Hillside Acres – was R2

Change conservation zone to roughly match Airport CHA, KHLT and Moose Inc lands.  
Added GC1 in CBD

Ideas

Get rid of scenic gateway overlay?

What to do with eastern R2 area? In text, say upzone w water and sewer?

Conservation for KHLT lots BCWPD

As AK population grows, will Homer grow as a destination? Yes. As a retirement community?  
Maybe same as we have now. Still relatively expensive, although outlying areas as less so.

Pioneer beautification

Design manual for older structures

GC on lakeshore dr

### **Staff Recommendation**

Please provide any comments on chapter and the implementation tables

### **Attachment**

Chapter 4 Land Use 6.1.17

Appendix D





## CHAPTER 4 LAND USE

**Vision Statement:** Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

### Overview

This chapter presents background information and policies to guide development in Homer. The first goal presents the overall goal of the land use policies. The other goals are more specific to various aspects of land use issues.

### Summary of Goals

**GOAL 1:** Guide Homer's growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

**GOAL 2:** Maintain the quality of Homer's natural environment and scenic beauty.

**GOAL 3:** Encourage high-quality buildings and site development that complement Homer's beautiful natural setting.

**GOAL 4:** Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.

**GOAL 5:** Maintain high-quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.

**GOAL 6:** Develop a clear and open public process for future changes to City of Homer boundaries. Explore a planned, phased possible expansion and initiate and establish regional planning processes with the Kenai Peninsula Borough.



## Context: Land Use in Homer & Surrounding Areas

### Land Use in Homer

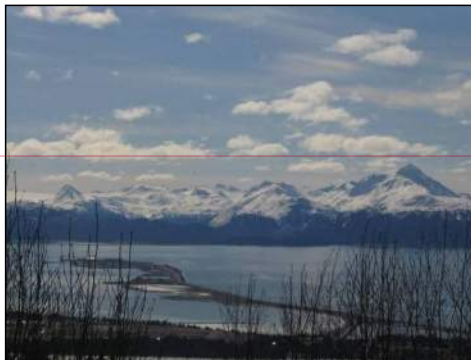
Land use in Homer today closely corresponds to the area's unique geographical features, history of homesteading, its road system, access to Kachemak Bay, and the vicinity to water. Two very distinct areas with very different land use characteristics developed in the last century, one on the mainland and the other on the Homer Spit. The portion of the City on the "mainland" has a ring-like land use pattern. It has a relatively concentrated, mixed use core or central business district. Transitional land uses surround the core consisting of institutional and public facilities, commercial uses, residential office, and denser, more urban residential. Farther from the central business district, larger lot/low density rural residential land uses prevail. Variations from this general pattern occur, for instance, along the Sterling Highway where roadside commercial activities are prevalent and in some instances compete with concentrated downtown activities. Additionally, the area surrounding the airport, southeast of downtown, holds most of the town's mixed industrial activities.

The Homer Spit contains its own assortment of industrial, commercial and recreational uses. The Spit's functions and land uses fluctuate with the season; during the summer months commercial activities increase in response to the arrival of summer visitors and tourism. Issues on the Spit are sufficiently distinct and complex as addressed separately in the Spit Comprehensive Plan.

Homer's land use pattern is generally supported by the City's current zoning designations, but an eclectic mix of land uses is still found in various zoning districts. *See the Zoning Map, Appendix D-10.* [This mixing of uses is part of the unique character of Homer and not without benefits.]

The current land use zones largely fulfill their intended functions, but in some cases do not mesh with the realities of existing or desired future use patterns. Growth in Homer will require a new set of standards to guide the form and location of future land use and development. For instance, the land downtown and extending west along the Sterling Highway is zoned central business district and gateway business district respectively. New policies are needed in the central business district to better allow for higher density and greater mixing of retail shopping, professional services, entertainment facilities and restaurants, and residential uses. The policies controlling development in the recently established gateway business district will likely need ongoing refinement to promote business with an emphasis on the visitor industry and at the same time ensure an attractive and notable entry point to Homer and Kachemak Bay.

Homer's public water and sewer infrastructure plays a large role in shaping land use patterns in the city. *See the Water & Sewer Map, Appendix D-11.* To make the investment in public water and sewer infrastructure efficient and fair, decisions on infrastructure need to be coordinated with land use policy. For example, there are some areas within the rural residential zoning that have gained water and sewer service, providing landowners the opportunity to subdivide their lots and develop at a higher density than the existing land use classification promotes. This situation calls for a solution and is addressed in this plan.



**Comment [RA1]:** We refer to community character in this chapter, here is a definition. Need to consider the most relevant desirable character we will promote

Homer's pattern of development is also greatly influenced by environmental constraints. Steep slopes, bluff and shoreline erosion, and wetland areas make development of many parcels costly, difficult, or even unfeasible. While such areas may be unfeasible for individual development, they can have great value for the community as a whole. Drainage ways, beach areas, or steep or erodible slopes can form an integrated open space network ("green infrastructure") which supports the areas that may be developed more intensively. Environmental constraints and opportunities have an important role in guiding the character and location of new growth.

## Land Use and Growth in Homer and the Surrounding Area

The city of Homer is growing and it is likely to continue to grow. *See Background Chapter 2 and Appendix A.* As stated previously in this plan, future growth will be driven by factors including changes in the overall economy of Alaska, the future of the fishing industry, the pace of growth in the visitor industry and – probably the most difficult to forecast – the growth of Homer as a quality-of-life community for retirees, baby boomers and other "footloose" prospective residents. If Homer remains a ~~"hot"~~ **desirable** residential destination, then it can grow, in some ways, more or less independently of changes in the conventional economic base.



While increasing visitation has had a great impact on the economic growth of Homer, the most significant change in Homer's real estate landscape has been the recent, rapidly growing demand for middle- to high-end residential development. This has led to substantial increases in land prices and the construction of many new homes, particularly in the area just outside of the city's perimeter, extending out East End Road and on the bench above town. This growth is an important consideration in the development of Homer's Comprehensive Plan. Residents of these developments use many of the same public and commercial services as Homer residents including police, fire, water supply, shops, restaurants, visitor and medical facilities, and public institutions like the library. Planning for services requires consideration of this growing residential demand.

## Goals & Objectives for Land Use

**GOAL 1:** Guide Homer's growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

**Objective A:** Continue to accommodate and support commercial, residential and other land uses, consistent with the policies of this plan.

The specific steps to achieve this objective include expanding infrastructure and modifying the City's existing zoning policies to provide expanded opportunities for residential and commercial development. The process will include an update of the current zoning map as well as an enhancement of existing planning tools such as planned unit developments to best meet the demands of specific development projects. Growth will need to be guided to meet Homer's concerns about protecting community character and the quality of the environment.

#### Implementation Strategies

The Land Use Recommendations Map presented under Objective B below shows the general locations identified to meet Homer's housing needs. These areas include:

1. ~~Downtown area — support increased residential uses, including attached, higher density housing, either as stand alone projects or as part of mixed use development. See Goal 4, Objective A.~~
2. ~~"Inner-city" locations — encourage increased residential uses in mixed use designations including office residential, KBC "college" district, gateway mixed use district and east side commercial districts; also encourage residential as a secondary use in the GC1 district.~~
3. ~~Transitional residential areas — establish a new R-2 residential district to support moderate density residential development in areas previously designated rural residential. See Goal 5.~~
4. Commercial districts — encourage residential uses, while recognizing the primacy of commercial and/or industrial uses.

**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.

Many of the community's most important goals are tied to the amount and location of growth. These goals include providing encouraging affordable housing, protecting environmental quality, creating a walkable community, and efficiently providing public services and facilities. The broad strategy behind this objective is to encourage concentrated residential and business growth in the central area of the city, with densities decreasing in outlying areas. The existing pattern of development in the city and current zoning generally follow this pattern. The alternative to this pattern — to allow this same quantity of growth to spread over a much wider area — works against all these goals.

While concentrating land uses brings many benefits, residents clearly want to maintain a sense of open space and privacy that is often associated with lower density development, particularly in residential areas. As a result, this objective of concentrated growth must be accompanied by a set of standards that ensure housing and commercial areas are well designed. The remainder of this section presents more details on the location of new development; following sections address the character of new development.

**Comment [RA2]:** Generality. Ends up discussing residential only, maybe more of a context item Consider elimination

**Comment [RA3]:** Not a huge fan of these or overlay zones. It is best to zone 'by-right' as much as possible. Want to consider performance standards

**Comment [RA4]:** How are we doing?

**Comment [RA5]:** Have addressed much of this

**Comment [RA6]:** Not really zoning. May need to restate and list relevant items

The key element of this section is the generalized Land Use Recommendations Map. See page 4-7 – Comprehensive Plan Land Use Recommendations Map. This is not a zoning map, but a general map of proposed future land uses in Homer. Before these recommendations have the force of law, a separate, subsequent process must occur to amend the City’s current zoning code. The components of the map are as follows (Appendix B gives a more complete description of these categories):

**Comment [RA7]:** May consider moving or reformatting

#### Residential Use Districts

- R1 Urban Residential – With higher housing densities in the city core
- R2 Transitional Residential – Development at a density between rural and urban, in areas where water and sewer service exists today or is likely in the near term future
- R3 Rural Residential – Lower density residential and limited agricultural pursuits

**Comment [RA8]:** Would like to consider options for expansion throughout town. Discuss options, consider another goal for agriculture

#### Commercial and Mixed Use Districts

- DT Mixed Use – Concentrated downtown core with a variety of uses and a pedestrian focus
- CBD Central Business District – Adjoining downtown core; mixed use with a mix auto- and pedestrian-oriented development
- GC-1 General Commercial 1 – Other retail and commercial areas with mixed uses, but primarily “drive-to” development
- GC-1/Residential – allow residential uses, encourage water dependant uses along Beluga Lake, and encourage small commercial enterprises on Lakeshore Drive. Maintain the neighborhood character of mixed commercial and residential use, retain mature healthy evergreen trees when practical and plant trees in landscaped areas.
- RO Residential Office – Allow for a range of residential and residential compatible uses. Buildings and sites must have a scale and character similar to single family detached or small multifamily homes.
- G-MU Gateway Mixed Use – Visitor-oriented businesses, developed in a manner that provides an attractive gateway to Homer
- E-MU East End Mixed Use – A wide variety of commercial and industrial uses with access to the marina and airport
- GC-2 General Commercial 2 – Commercial and industrial district
- NC Neighborhood Commercial East End Road – limited numbers of small scale, local serving commercial areas, designed to meet the convenience commercial service needs of neighborhood residents. The objectives behind this recommendations category might also be met through the Planned Unit Development process or an overlay zone allowing more commercial and retail uses than the underlying Residential Office District.

**Comment [RA9]:** Currently CBD

**Comment [RA10]:** Would like to talk about considering this area for GC1

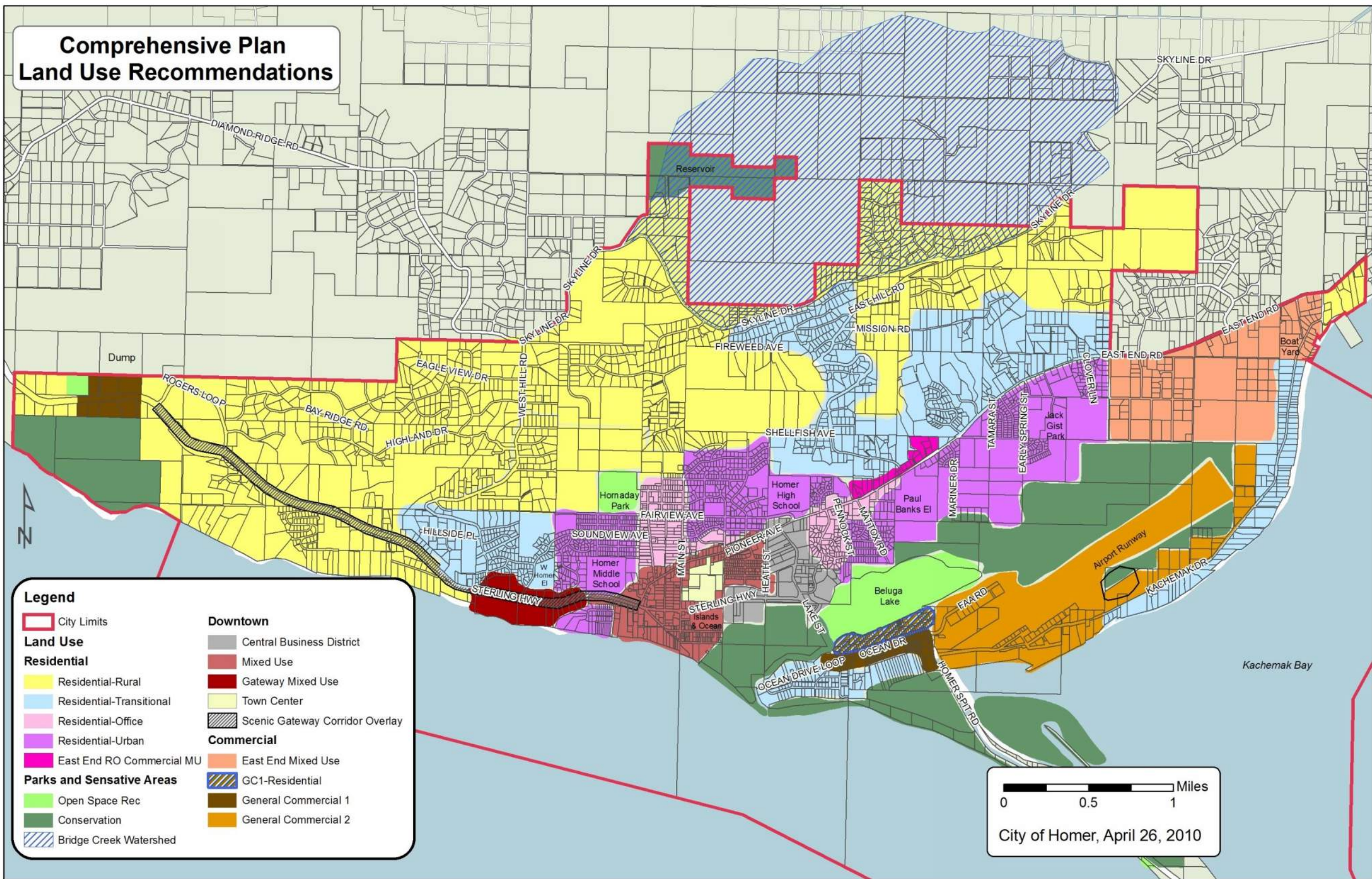
**Comment [RA11]:** Discuss push and pull of residential and commercial

#### Other Use Districts

- CO Conservation – Environmentally sensitive public and private lands with particularly high value for water quality, fish and wildlife, and other open space uses
- MC Marine Commercial
- MI Marine Industrial

- 192           ▪   OSR Open Space–Recreational Lands
- 193           ▪   BCWP Bridge Creek Watershed Protection District
- 194
- 195
- 196
- 197
- 198
- 199
- 200
- 201
- 202
- 203









**Objective C: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth.**

The Comprehensive Plan Land Use Recommendations Map establishes the location and intent of proposed land use districts, but does not address the standards needed to guide development.

### Implementation Strategies

Changes to existing regulations will be required to implement the goals of this chapter, listed below:

1. Revise the City's existing zoning code, to reflect the general land use designations presented in Objective B and Appendix B.
2. Encourage alternative methods for preserving natural areas by creating improved cluster housing/open space/Planned Unit Development zoning standards and subdivision ordinance.
3. Develop standards and policies such as buffers and transitional densities to ensure high-quality higher density residential and/or mixed use development, particularly where this adjoins existing lower density residential areas. Create regulations that promote mixed use and high quality, attractive medium- to high-density development.
4. Develop standards and policies for new mixed-use districts, including the recently established Gateway Business district. Use "form-based" zoning strategies, encouraging a modest scale of development while allowing for a wide range of uses. Tailor current residential office and central business district zoning to accommodate more mixed use, medium- to high-density housing; ~~for example, by allowing for more shared parking.~~
5. Develop consistent design standards for new development to complement the character of the land use. Include architectural and site development standards and standards for associated infrastructure (particularly roads and trails).
6. Re-evaluate height standards in commercial and mixed use districts to determine whether buildings over three stories should be permitted. Height standards must meet fire safety and insurance standards.
7. Develop and apply in all districts new standards addressing environmental issues including management of storm water, slope standards, and on-site septic systems.
8. ~~Develop specific plans and development standards to respond to the issues and opportunities that exist on the Homer Spit. Resolving those issues is clearly important but beyond the scope of this current planning effort. In the interim, the policies for the Spit in the 1999 plan will apply. See Appendix C.~~

**Comment [JE12]:** Have we completed this task?

**Comment [RA13]:** Will need to update

**Objective D: Develop policy that supports infrastructure development that is consistent with the intended land use pattern and provides incentives to encourage development in these areas.**

Chapter 6, Public Services and Facilities, presents policies for water, sewer, roads and other infrastructure. That chapter outlines how infrastructure development should respond to the broad goals established in this plan, for quality of life, the environment and economy, and the land use policies of this chapter.

**Comment [RA14]:** Goal seems misstated and is not reality. We are generally chasing the infrastructure around not exactly planning for it. Looking to infill prior to expanding system. Not a very useful objective, consider eliminating.

## Implementation Strategies

General strategies for infrastructure development include:

1. Plan the expansion of community infrastructure to serve areas identified for growth, in particular to expand water and sewer into urban and transitional residential and mixed use zones.
2. Encourage development of infrastructure in areas targeted for development by establishing incentives for public/private partnerships. Examples include tax deferment, tax credits and infrastructure local improvement districts (LIDs).
3. In general, adhere to Policy 3.1 of the 1989 Comprehensive Plan, which states: “the City shall provide water and sewer utilities to residents within the City before extending services to non-City residents.”

This policy was established to encourage infill development of residential areas. Continued strong support of infill development in all land use districts benefits the city and allows orderly and planned growth with access to services.

### Objective E: Consider the regional and global impacts of development in Homer.

Homer is a community that understands and appreciates its place in the context of the larger, global environment. As shown by its robust environmental nonprofit community and the work of the City’s Global Warming Task Force, Homer residents look beyond their boundaries and have expressed the importance of acting locally as a way of addressing global issues.

Below are some general approaches to meeting the goals of reducing Homer’s impact on global warming, based on work by Homer’s Global Warming Task Force.

## Implementation Strategies

1. Pursue environmentally sound development practices and measure success for every public facility project in Homer either by locally established benchmarks, LEED certification, or other contemporary concepts.
2. Encourage a concentrated development pattern to reduce the need for vehicle trips and encourage non-motorized transportation. *See more in the Transportation Section.*
3. Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill.
4. Adopt building codes and incentives to increase energy efficiency in all new residential and commercial development.
5. ~~Provide assistance to developers and builders in evaluating plans to increase energy efficiency, encourage LEED project certification and promote non-motorized transportation.~~
6. ~~Consider adopting LEED standards for neighborhood development and building remodeling, and incorporate in the permit process.~~

**Comment [JE15]:** ... we have a water sewer master plan that does this quite well. This strategy has been completed.

**Comment [JE16]:** EDC looked at property tax incentives and the idea was not enacted. I’m not sure this strategy is still relevant.

**Comment [RA17]:** More of a public facilities chapter thing. Density is really the ‘land use item’

**Comment [JE18]:** I suggest ‘such as LEED’ because otherwise its not really clear what we are talking about.

**Comment [RA19]:** Not sure that LEED is the best element to promote.

288  
289 **GOAL 2:** Maintain the quality of Homer's natural environment and scenic beauty.

290 Homer's natural setting provides many benefits but also creates significant constraints. The  
291 characteristics of the physical setting need to be respected in guiding the location, amount, and density  
292 of development.

293 This plan takes two general approaches to guide development in relation to environmental conditions.  
294 One is to "overlay" information regarding environmental constraints and opportunities onto the Land  
295 Use Recommendations Map. This means, for example, that some portions of an area identified for  
296 development would be limited by the site-specific presence of steep slopes, wetland areas, drainage  
297 channels, etc. The second broad strategy is to recommend that appropriate standards be adopted so  
298 that where development does occur it is designed to respect environmental functions and  
299 characteristics. Examples in this category include site development policies for drainage, vegetation,  
300 and grading.

301 A need exists for the community to take seriously the issue of shoreline stabilization and the  
302 implications of allowing ongoing shoreline development. A process should be launched to examine  
303 the issue and put proposed solutions before the citizens.

304 **Objective A:** Complete and maintain a detailed "green infrastructure" map for the  
305 City of Homer and environs that presents an integrated functional system of  
306 environmental features on lands in both public and private ownership.

307 Protecting the environment can be a way to  
308 achieve goals like reducing infrastructure costs  
309 and providing "environmental services" like  
310 drainage ways, parks, and trails. For example,  
311 protecting the integrity of a stream channel can  
312 help provide cost-effective drainage solutions  
313 and also provide a trail corridor. The challenge in  
314 carrying out these types of actions is that most  
315 land in Homer is already split into many  
316 individual private parcels. This objective  
317 provides the first step in solving this challenge by  
318 creating a complete base of knowledge regarding  
319 environmental features on land regardless of  
320 ownership. Specific steps to establish a system of  
321 green infrastructure can be found in Appendix D.

322 **Implementation Strategies**

323 1. Consider adopting incentives to encourage use  
324 of the Green Infrastructure Map developed by the Homer Soil and Water Conservation District.

**Green Infrastructure Defined**

*Green infrastructure is defined as an interconnected network of natural areas and other open spaces that conserves natural ecosystem values and functions, sustains clean air and water, and provides a wide array of benefits to people and wildlife. In contrast to traditional approaches to open space conservation, green infrastructure is integrated with and linked to development. Green infrastructure is a way of conserving natural areas that function as city infrastructure.* Definition and other information based on Green Infrastructure: Linking Landscapes & Communities.

Mark A. Benedict, Ph.D., Edward T. McMahon, J.D.  
Island Press, 2006

327 **Objective B:** Establish development standards and require development practices that protect  
328 environmental functions.

**Comment [RA20]:** Need objective and strategy, where are we expected to go from here, when are we done?

Once a project has been identified for development, green infrastructure concepts can be used to consider what special conditions, if any, need to be incorporated into the project's layout and development. Guidelines for development such as setbacks from waterbodies or limits on development of steep slopes are covered through the City's zoning code. Homer's existing codes include many good environmental standards. Some specific strategies for accomplishing this objective through the revision of City code include:

#### Implementation Strategies

1. ~~Develop~~Continue to review and refine standards and guidelines to reduce bluff erosion and shoreline erosion, such as managing surface water runoff on coastal bluffs and implementing any other applicable best management practices.
2. ~~Develop~~Continue to review and refine standards for coastal bluff stabilization projects and building setbacks from coastal bluffs.
3. ~~Create~~Continue to review and refine standards for setbacks on streams and wetlands.
4. ~~Develop~~ standards for trails (e.g., widths, surfaces, intended use).
5. ~~Create~~Continue to review and refine standards for development on steep slopes, in wetland areas, and on other sensitive sites, including standards for grading and drainage, vegetation clearing, building setbacks, and building footprints. Include flexibility in road dimensions to avoid excessive grading.
6. ~~Create an option for a specialized~~Continue to review and refine review processes for hillsides and other sensitive settings (e.g., allowance for development on steeper slopes subject to submission of more extensive site analysis and engineering reports).

**Comment [JE21]:** We have adopted coastal bluff setbacks since this plan was written. And we have stopped issuing permits for coastal bluff stabilization projects. Where are we going with this strategy?

**Comment [JE22]:** Complete? We have an allowance for development on steeper areas w an engineer. If we have a new or different steep slope goal, we should say what it is. Otherwise, how will we know its been accomplished?

Appendix D includes examples of how decisions about site clearing, grading, and impervious surfaces can create very different types of development. Homer is encouraged to ~~institute~~continue practices that bring about Objective B.

#### Objective C: Use green infrastructure concepts in the review and approval of development projects.

Maps of important environmental features, processes, and key open space areas are valuable to the extent this information shapes decisions about development. In particular, this information is critical to protect features that cross boundaries of multiple parcels; e.g., streams and trails. This action not only protects open space values, but increases value of open space for developers.<sup>1</sup> Specific policies for using this information to shape development include:

#### Implementation Strategies

<sup>1</sup> Park City Utah is an example of a community that has developed an extensive public trail system, almost entirely on private land, by following this approach. Developers in the Park City area have come to recognize that trails are an amenity that buyers seek out, that add value to their projects, and that can be provided at relatively little cost. The coordinated actions of many individual developers have resulted in an integrated communitywide trail system.



1. Require developers to include details about environmental features and processes, along with plans for open space, when submitting subdivisions or other developments for approval.
2. Require developers to demonstrate how features that cross multiple parcels will be protected in individual projects. Use this process to create links between open space areas and integrate new development into the network of open space.
3. When a Green Infrastructure Map is adopted, use it in the review process.

Comparative examples of different approaches to preserving green infrastructure in land subdivision and development can be found in appendix D.

**Objective D: Provide extra protection for areas with highest environmental value or development constraints.**

Ideally, adopting more effective development standards will result in the preservation and protection of lands with high environmental value. However, there may be some areas identified that cannot easily be protected through standard means and are so important they should be preserved forever. References such as wetland, steep slope, and green infrastructure maps can help identify and prioritize these lands. Examples of environmentally important areas might include a particular beach access corridor or a particular section of a lake or stream. There are many creative means by which Homer can do this if determined necessary, such as:

**Implementation Strategies**

1. Work with land trusts and/or public agencies to acquire land for protection and recreational use. Build on example set by Kachemak Heritage Land Trust.
2. Consider land trades or variations on the transfer of development rights.

**Comment [JE23]:** Keep. Might use this in the watershed.

**Objective E: Collaborate with jurisdictions outside the City of Homer, as well as state and federal agencies, to ensure that environmental quality is maintained.**

Homer's environment is affected by actions outside of its borders. Wildlife corridors and drainage systems do not conform to borough and municipal boundaries. In this regard, Homer should work with surrounding jurisdictions, notably the Kenai Peninsula Borough to:

**Implementation Strategies**

1. Identify environmentally sensitive sites and natural systems of regional importance and work towards collaborative management of these areas. Options include implementing Special Use Districts to develop and pay for needed infrastructure and addressing drainage and trail issues on a regional or watershed approach.
2. Encourage establishment of environmentally responsible development practices by the KPB on land surrounding Homer. Work with the Borough to develop a common approach to subdivision requirements, road standards, and Road Service Area regulations.

**Comment [JE24]:** KPB has newer road standards and subdivision rules. So this is somewhat accomplished and I'm not sure how much further it will go... probably not worth rocking the boat.

**GOAL 3: Encourage high quality buildings and site design that complements Homer's beautiful natural setting.**

New growth and development in Homer is inevitable. The community has made clear its intent to guide the character of the built environment so this growth improves the quality of the life. The Town Center Development Plan established standards for the development of the city core and sets a good standard for policies that can be followed to achieve higher design quality. An integrated but balanced regulatory and enforcement process is needed for the entire city, to raise the bar for future development standards.

**Objective A: Create a clear, coordinated regulatory framework that guides development.**

Clear, predictable, consistent rules and regulations are key to achieving standard, quality design. These rules and regulations have to fit the context of the marketplace and be accepted by the development community. Overregulation is a disincentive, while under-regulation will achieve less than desired results. Specific policies addressing this topic include:

**Implementation Strategies**

1. Synthesize existing rules and regulations for both public and private development in a comprehensive design manual. For instance, it is important that the Master Roads and Streets Plan is supplemented by the Community Design Manual, Transportation Plan, and a Streetscape Design Manual to balance functionality and aesthetics.
2. Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review.

**Objective B: Encourage high quality site design and buildings.**

Good site design, appealing architecture, and quality construction practices contribute to the creation of high quality buildings. Attractive, well constructed buildings are a long term asset to the community. Design can be thought of in two categories: form, meaning what the building looks like; and function, meaning the construction methods and layout of the building.

**Implementation Strategies**

1. Adopt building codes and create an inspection program.
2. Set standards that regulate the form of development to encourage attractive, diverse housing styles. Specific design objectives are presented under Goal 5, page 4-17.
3. Develop specific policies regarding site development including standards for landscaping, grading, lighting, view protection, etc., in coordination with current national efforts that promote better site development (LEED certification standards, Sustainable Sites Initiative, Low Impact Development, etc.).
4. Ensure that all utility service to new developments shall be underground.
5. Ensure that any redevelopment which moves overhead utilities requires moving those utilities underground.
6. Coordinate with state agencies, notably the State of Alaska DOT/PF and the Kenai Peninsula Borough, to encourage compliance with Homer's community design standards when developing their projects outside city limits within "greater Homer."

**Comment [RA25]:** This is a tall order

**Objective C: Work with the KPB to determine the costs and benefits of shifting some or all platting authority to the City of Homer.**

The City of Homer has worked in partnership with the Borough on land use issues in the past and will continue to do so in the future. However, as Homer continues to grow, the community may need to assume some of the responsibilities that currently rest with the Borough. Most important is for Homer to become responsible for reviewing and approving subdivision plats within city boundaries. Local control over platting is critical to achieving many of the goals in this plan, because it allows the community to better integrate land use objectives with a range of other issues, including goals for transportation, economic development, and public services and facilities. Acquiring platting powers will likely require the city to hire additional technical staff.

**Implementation Strategies**

1. Create a new City subdivision code.
2. Work with KPB to identify ways to strengthen the city's position in the subdivision process, and that are affordable to the city.

**GOAL 4: Support development of a variety of well-defined commercial/business districts for a range of commercial purposes.**

**Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce district in the Central Business District (CBD) following the guidelines found in the Town Center Development Plan.**

Creating a vital, successful central business district – the clear commercial and civic center of Homer – won't happen by accident. A number of strategies are required to reach this objective, as outlined below. These actions are all designed to carry forward in the spirit of the previously approved Homer Town Center Development Plan and Community Design Manual. Those documents provide additional details that need to be considered to gain a full understanding of CBD objectives.

**Implementation Strategies**

1. Provide incentives for private investment in the CBD. Incentives can include public investments in improved infrastructure (e.g., roads, trails, parking) and in public facilities (e.g., the recently built library and town square). Particular priorities include improved public parking and construction of a new east-west road through the center of the CBD roughly parallel to the Sterling Highway and Pioneer Avenue.
2. Change the approach to parking in the CBD to allow most parking needs to be met offsite (on-street and shared lots), which in turn allows the clustering of buildings required for a pedestrian friendly environment. Develop on-street and public parking areas to meet parking needs. *See Transportation Chapter.*
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 relationship of buildings to the street, and rules encouraging mixed use, including office or residential uses such as apartments above retail.

**Comment [JE26]:** Commissioner Bos requested to cut this at the May 3 meeting, and the Commission seemed to agree. Cut. Objective C.

**Comment [RA27]:** Not sure this is a realistic objective is consideration of the likely budget for the next 5 years or more.

**Comment [JE28]:** We have updated our parking code. I'd cut this.

**Comment [JE29]:** Done – we adopted the town center district with these concepts in place.

- 483
- 484
- 485
- 486
- 487
- 488
- 489
- 490
- 491
- 492
- 493
- 494
- 495
- 496
- 497
- 498
- 499
- 500
- 501
- 502
- 503
- 504
- 505
4. Create an overlay zone for the “Old Town” section of the CBD, establishing general standards for building design and construction. Aim for future buildings to continue in the style of the older buildings the area as well as the several more recently constructed buildings that follow these traditions.



in

5. Use public/private partnerships, Business Improvement Districts, or Tax Increment Financing to improve streetscapes, including better sidewalks, landscaping, and building facades. Develop an attractive, business friendly commercial streetscape for Pioneer Avenue and ensure the Town Square/City Hall project is designed to benefit Pioneer Avenue and Old Town businesses.
6. Locate high quality mixed-use, high density and affordable housing in the central business district to diversify housing stock and create demand for downtown services.
7. Improve trail connections to and within the CBD. Provide a system of trails and sidewalks linking residential areas, commercial and civic uses, attractions such as the Pratt Museum and the Islands and Ocean Visitors Center, and the new town square.
8. Concentrate commercial uses in the downtown. *See following section.*
9. See also Appendix E for a summary of principles for success in small downtowns.

**Comment [JE30]:** Out of date, didn't build city hall, and we changed the HART program in 2007 to help pay for these types of projects.

**Comment [RA31]:** We don't even have building codes.

**Comment [JE32]:** We need to say something specific about investing in Pioneer Ave...for every town center reference we have very few for Pioneer!

506 **Objective B: Discourage strip development along the Sterling Highway and major**

507 **collectors/thoroughfares**

508 Strip development occurs along busy major roads with easy

509 access to businesses. Strip development is an unplanned

510 consequence of building transportation infrastructure, and

511 it tends to include practically any land use in an eclectic –

512 often cluttered and unsightly – array of buildings, parking

513 lots, utilities, and support structures.



514 Strip development along highways introduces competition

515 for the central business district and weakens its role. Strip development can create unattractive

516 community entries (e.g., the Glenn Highway coming into downtown Anchorage) and unsafe edges

517 along thoroughfares. Communities with no restraints on the location of commercial use often find

518 their downtowns wither, as businesses shift to outlying, lower cost properties. On the other hand,

519 communities need to allow for a measure of outlying commercial growth, to be fair to property

520 owners, to meet the need for the types of commercial uses that don't fit well into a central commercial

521 core, and to respond to ongoing demand for expansion of commercial activity. Two primary strategies

522 can help avoid and lessen the potential adverse impacts of unwanted strip development:

523 **Implementation Strategies**

- 524
- 525
- 526
1. Use the zoning process to guide the majority of future commercial development into the central business district. Locate development as presented on the Land Use Recommendations Map. Implementation will require an ongoing balancing act.

**4 - 16**

P:\2010 Comprehensive Plan\Chapter 4 Land Use.docx

Homer Comprehensive Plan

Homer Comprehensive Plan

2. Use strategies to ensure the character of development in strip commercial development makes a positive contribution to the overall character of the community. These include: controls on the size and appearance of signs, requirements for landscaping of parking areas, and basic guidelines regarding building appearance.

**Objective C: Encourage complementary commercial activity between the CBD and Homer Spit that benefits both in the appropriate locations and builds upon their geographic strengths.**

#### Implementation Strategies

1. Continue to allow for and encourage water and recreation related marine commercial and marine industrial uses on the Homer Spit while locating land based general commercial and business uses in the CBD.
2. Address the needs of seasonal, tourism related commercial/retail activity on the Spit in the context of the continued focus on marine commercial and marine industrial uses.
3. Provide a strong seasonal transportation access link between the CBD and the Spit to support tourism and recreation businesses at both locations. One option would be to develop multipurpose public parking areas in the CBD, and offer shuttle service to the Spit. Charging for Spit parking would create an incentive to use this service.
4. Develop a detailed master plan for the Spit that builds from the recommendations of the 1999 Comprehensive Plan Update and any subsequent updates, addressing parking, residential and other uses. See Appendix C. Review and refine Homer Spit Comprehensive Plan as appropriate.

**Objective D: Introduce new commercial districts to better encourage and accommodate commercial land uses in appropriate locations, and allow new types of commercial activities to take place.**

#### Implementation Strategies

1. Anticipate the growth in white-collar business activities and clean industries by designating live-work districts; provide the development standards needed to maintain the quality of these areas. *See Goal 1 of this chapter.*
2. Target high tech industries or professional/web-based activities in these new commercial zones by public provision of access to wireless communication. *See Economic Development Chapter.*
3. Establish a new land use designations to allow for a handful of well-defined neighborhood commercial areas, to reduce the need for longer drives to primary commercial areas, to serve kids and others who don't drive, and to provide neighborhood meeting places.
4. Recognize the capacity of KBC to support expansion of new economic sectors, anticipate and allow for the growth of the university, and encourage student housing. *See Economic Development Chapter. See Appendix B for the full set of proposed land use designation categories.*

**GOAL 5: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.**

**Comment [RA33]:** We have a Spit plan. Not sure we need this here.

**Comment [JE34]:** Done? We have revised the marine districts per the spit plan.

**Comment [JE35]:** Done?

**Comment [JE36]:** Done? Doesn't the transportation section talk about the spit shuttle, and we updated it to say 'support someone else doing it'?

**Comment [JE37]:** I'd call this done. Its sort of a given that plans will be updated as needed. Unless there is a short term need that this is a priority, I don't see why we would take up space in the implementation table with this one.

**Comment [JE38]:** I agree – I'd cut this objective

**Comment [RA39]:** Consider eliminating this objective. It is basically a collection of items addressed in other chapters and the failed neighborhood commercial.

**Comment [RA40]:** May need to simplify goal that involves choice and opportunity for housing choices and maybe support for housing projects with development corporations.

565 Diverse, high-quality residential neighborhoods are crucial to the stability and economic health of  
566 Homer. Growth puts pressure on housing prices as land prices increase. Neighborhoods established  
567 decades ago with large lots face pressure as some landowners create subdivisions with smaller lots,  
568 while others would like to preserve the established neighborhood character. Housing choice is crucial  
569 to accommodate future growth as the dominant single family large lot developments clearly won't be  
570 able to meet future demand in quantity or price. The five objectives below set out a program to address  
571 these housing issues.

572 **Objective A: Diversify housing stock to meet demand by people earning a broad range of**  
573 **incomes.**

574 The demand for housing in Homer is steadily growing, and housing prices are increasingly driven by  
575 the buying power of people who earned their money outside of Homer. The result is a growing gap  
576 between what housing costs and what many Homer residents can afford. This problem is particularly  
577 acute for younger buyers and for people in service industries such as tourism.

578 **Implementation Strategies**

- 579 1. Allow for housing in more zones, allow for greater housing density, and support infrastructure  
580 expansion so more land is readily developable for housing.
- 581 2. Improve zoning standards to ensure that new moderate and higher density development is  
582 attractive and a good fit with Homer's character.
- 583 3. Review the existing Planned Unit Development ordinance which provides the chance to offer  
584 somewhat higher density housing in exchange for providing trails, protecting natural areas and  
585 environmental functions.
- 586 4. ~~Promote private development of KBC student housing.~~  
587 *See additional discussion under Objectives C, D and E below.*

**Comment [JE41]:** ... at this point we don't need infrastructure expansion, we need infill. Have built a LOT of pipe since this plan was written, and, HAWSP is broke which was not the case 10 yrs ago. This should be revised!

**Comment [JE42]:** cut

588 **Objective B: Maintain the availability of lands designated for rural residential use; improve the**  
589 **zoning code for this category to withstand pressure for platting large lots into smaller ones in**  
590 **that district.**

591 The rural residential classification applies to the majority of Homer's residential area. The community  
592 expressed a clear desire to maintain large rural residential areas in Homer into the future. In order to  
593 avoid unplanned and unwanted changes in rural neighborhoods, the zoning code will have to address  
594 standards for new development consistent with this goal. Specific issues to revisit include character of  
595 development (setbacks, building heights); removal of vegetation, and minimum lot sizes.

596 **Implementation Strategies**

- 597 1. Evaluate and modify the extent of the rural residential district classification to protect this land  
598 use on par with expected demand.
- 599 2. Allow for continued infill in these areas, consistent with the general goal of retaining the  
600 predominately rural character.

601 **Objective C: Promote infill development in all housing districts, redefine current zoning laws in**  
602 **existing districts to promote a range of residential uses, identify new residential zoning districts,**  
603 **and provide for appropriate supporting infrastructure.**



604 This plan promotes infill, particularly in a new residential transitional district established by this plan.  
605 The desire to provide diversity in housing options requires revision of zoning standards. In addition,  
606 it is in the public's interest to maximize the use of existing infrastructure by serving as many customers  
607 as possible. It is also important that infill development in areas already served by water, sewer and  
608 other infrastructure compliments existing neighborhoods. This can be accomplished, for example, by  
609 building in a comparable scale and character.

#### 610 Implementation Strategies

- 611 1. Maintain integrity of older, well-established neighborhoods by establishing design standards  
612 that maintain neighborhood character. For example, require new infill uses to match the scale  
613 (height and bulk), lot coverage, building orientation to the street, and architectural character  
614 of existing structures in the neighborhood.
- 615 2. Create standards to address impacts of development on established neighborhoods, including  
616 provisions to help maintain visual quality. (Examples include height requirements, setbacks  
617 from existing structures, etc.).
- 618 3. Create development standards and zoning districts that allow and encourage a range of  
619 attached and detached accessory dwelling units.
- 620 4. Promote denser housing, through changes in zoning, and efficient expansion of infrastructure  
621 such as roads and water/sewer service.
- 622 5. Identify areas where water and sewer will not be extended because of desire to maintain larger  
623 lot sizes and/or where rural lot size minimums will be established.
- 624 6. Consider impact fees or other methods to support public services required by new  
625 development in an equitable manner.
- 626

#### 627 Objective D: Encourage inclusion of affordable housing in larger developments and affordable 628 housing in general.

629 Homer is likely to continue to experience strong demand for affordable housing. Meeting this demand  
630 will require a range of actions.

#### 631 Implementation Strategies

- 632 1. Retain and improve the quality of existing affordable housing in the community.
- 633 2. Explore partnerships with nonprofit organizations to support affordable housing projects,  
634 including new construction or rehabilitation programs for low- and moderate-income  
635 households. Take advantage of existing possible incentives such as AHFC loans and grants.
- 636 3. Encourage developers and provide incentives to include affordable housing as a percentage of  
637 new development (as is done, for example, in a number of Lower 48 resort communities,  
638 where 5-10 percent of new housing must be affordable).
- 639 4. Allow attached and detached accessory housing units on single family lots ("granny units") as  
640 a permitted use outright. Set standards that define the size of such units as a function of the  
641 size of the primary unit, with a not-to-exceed maximum square footage.
- 642 5. Distribute affordable housing throughout the community. Integrate it into market-rate  
643 neighborhoods by encouraging a mixture of larger and smaller lots.

**Comment [JE43]:** Done? If we keep this as an implementation item it should be more specific.

**Comment [JE44]:** Done? Implementing the land use map gets us here... seems like a repeat of the same action item.

**Comment [JE45]:** Done, see water and sewer master plan.

**Comment [JE46]:** City is not taking loans and grants....

**Comment [RA47]:** Very tough nut to crack, have not found the carrot. We do not have developers working on more than a unit/structure at a time or their projects. Need funds

**Comment [RA48]:** Done

**Comment [RA49]:** Very tough nut to crack, have not found the carrot. We do not have developers working on more than a unit at a time or there projects are not related.

6. Link affordable housing to the mixed-used development proposed in the Town Center Development Plan.
7. Establish a public entity to address affordable housing issues, or affiliate with an existing entity.
8. Promote development of KBC student housing.

**Comment [JE50]:** Not a city function? We already say 'partner with' up above.

**Comment [JE51]:** Cut, I think this is talked about elsewhere and is not an affordable housing issue...

**GOAL 6: Develop a clear and open public process for future changes to City of Homer boundaries. Explore a planned, phased possible expansion; and initiate and establish regional planning processes with the Kenai Peninsula Borough.**

Existing land use and future growth around the periphery of Homer has significant impacts on the quality of life, the environment, and the economy of those who live and work within city limits. As a consequence, the City needs to be open to the possibility of annexing lands beyond city boundaries. Some of the specific benefits for those in the annexed areas include:

- Access to water for domestic use
- Improved fire protection services
- Improved street maintenance and snow removal services
- Improved law enforcement services provided by the City police department (as continued growth in outlying areas requires more services than the Alaska State Troopers can provide)
- Local control over planning and zoning (when done in a manner that reflects local values, city planning and zoning authority can help avoid the intrusion of incompatible uses into neighborhoods and help maintain and increase property values)
- Right to vote for elected representatives in Homer, and serve on City Boards and Commissions (currently sales tax provides the majority of the city's revenue. People outside city boundaries pay sales tax but don't vote for the people who make the decisions about how sales tax money is spent)

**Objective A:** Develop a clear and orderly process to assess the need and apply for the expansion of the boundaries of the City of Homer, which is likely to be necessary over the coming decades as surrounding areas grow and develop.

For the long-term benefit of both the city and surrounding areas, Homer will adopt a proactive planning strategy in the greater Homer area. Overall intentions regarding possible boundary changes are outlined below:

**Implementation Strategies**

1. Regularly assess the need for phased annexations to guide growth and provide for effective delivery of municipal services which benefit landowners, residents, and businesses.
2. Identify specific criteria for prioritizing prospective annexation areas. Focus near term attention where the uses have the greatest impact on City of Homer interests, including the area of the Bridge Creek water reservoir and associated watershed, areas where City water is delivered to residents outside city limits, areas directly adjacent to Homer city boundaries, and areas where recreational and open space resources (trails, greenbelts, water and drainage ways) are already in existence or may be easily developed.
3. Establish a clear and open public process for proposing annexations, including obtaining input from interested persons regarding land use and City services.

4. Work actively with the KPB to develop shared plans for current uses and future growth in the areas outside current city boundaries; including services, land use, and development standards.
5. In addition to considering the impacts of proposed annexation on residents and land owners, evaluate the costs and benefits of specific possible annexations to the City of Homer; looking, for example, at the relative balance of expected revenues versus costs to provide needed services.

**Objective B: Develop a fair, planned process for involving affected members of the public when considering annexation.**

Past annexation procedures in Homer have been painful, slow, and costly. Some of this cannot be avoided: annexation is a complex issue and not everyone will be satisfied with the outcomes. Nonetheless, there is room for improvement in the procedures associated with annexation. Specific policies include:

**Implementation Strategies**

1. In the near term, carry out an initial “annexation issues scoping process” for areas outside the city. Get early input from landowners, residents, and businesses in possible annexation areas regarding annexation issues. This will help Homer in planning for future growth, and enable landowners and businesses outside Homer to be part of the process and to understand how annexation may affect them.
2. Prior to proceeding with any annexation petition, the City, working with the Borough, will undertake a planning study of the specific area proposed for annexation. This will include providing public notice and public meetings to help define recommended future land uses and to indicate how and when municipal services (including public safety, utilities, streets and trails) will be extended to the area, together with estimated associated costs. The recommendations of the study will be incorporated into any annexation proposal submitted to the Alaska Local Boundary Commission.
3. Extra effort will be made to give the public a meaningful role in the consideration of annexation costs and benefits.
4. Explore options for different levels of services where clear distinctions can be made in the level of service required. For example, the level of fire protection service may vary greatly as a function of road infrastructure, vegetation, and response time. In outlying areas for example, the focus may be prevention of loss of human life and containment versus protection of life and property in locations closer to town.
5. It is not possible or appropriate for the City of Homer to prepare land use policy for potential annexation areas. At the same time, the City needs to convey general intentions for the future use of annexed lands. These intentions are established through the general policies of this Comprehensive Plan and other policies for land inside City limits, but also give a helpful sense of what policies might apply in future annexation areas. Examples of general policies that apply citywide and would likely be extended to annexed areas include creating and maintaining quality residential neighborhoods, using setbacks and buffers to ensure compatibility between different types of uses, providing open space and trails, and ensuring roads are built to City standards. The annexation planning studies called for

above will build from the general framework in the Comprehensive Plan and take into account the opportunities and constraints of specific locations, as well as the perspectives of affected property owners and residents.

**Objective C: Develop land use and infrastructure policies to address issues such as access and water use for areas that may be annexed in the future.**

Regardless of any future annexations, which may be decades away, the City needs to address several specific land use and infrastructure issues that cross city boundaries into greater Homer. Specific issues and recommended policies are presented below:

**Implementation Strategies**

1. Working through a cooperative planning process with the Borough, establish mechanisms to deal with issues outside City of Homer boundaries with greatest impact on the city. Examples include agreement to use common road standards and for cooperative work on trail and open space issues.
2. Re-examine the City's current policy for the provision of water from the public water system to users outside city limits and determine the impact of this practice. Currently approximately 40% of properties within Homer city limits do not enjoy the benefit of piped water delivery. The ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited. Water delivery in outlying areas contributes to the outward spread of residential uses, which in turn increases driving, energy use and contributes to greenhouse gas emissions. Determine if areas receiving water should be high priority areas for annexation. Investigate options for "reciprocity" by either developing plans for annexation or by establishing KPB-enforced land use practices that align with similar practices in the City of Homer. *See also Goal 1, Objective C in Chapter 6 for more on water use.*

**Comment [JE52]:** Update? Do we even know?

**Land Use Implementation Table**

Project	Timeframe	Primary Responsibility
---------	-----------	------------------------

	Near Term	Mid Term	Longer Term	
<i>Improved Zoning</i>				
▪ Develop new zoning code to implement new categories.			x	City
▪ Work with the Comprehensive Plan Land Use Recommendation Map on an area by area basis to determine the feasibility and acceptability of rezoning.			x	City
▪ <del>Flesh out specific development standards and guidelines for commercial zones; create a Town Center overlay zone to better differentiate downtown, auto-oriented neighborhoods.</del>	x			<del>City along w/ downtown merchants and landowners</del>
▪ Define the boundaries for and then develop an overlay zone for Old Town so buildings in that portion of the district feature an “old Homer” historical character.	x			City along w/ Old Town merchants and residents
▪ <del>Flesh out specific development standards and guidelines for R-2 residential zone, to create a transitional zone between urban and rural.</del>	x			City
<i>Improved Standards and Regulations</i>				
▪ Create a new City subdivision code.	x			City
▪ <del>Evaluate and consider shifting platting authority from Borough to City of Homer.</del>			x	<del>City and Kenai Peninsula Borough</del>
▪ <del>Develop new parking standards for CBD to support higher density, more walkable commercial areas.</del>	x			City
▪ <del>Establish development standards for development in environmentally sensitive areas (wetlands, steep slopes), including upgrade of drainage policies, road policies, stream setbacks.</del>	x			City
▪ Establish development standards for higher density residential development, landscaping, lighting, grading, viewshed protection.		x		City
▪ Establish development standards for Cluster Housing/Open Space Ordinance.	x			City
▪ Establish standards for Student Housing Development.		x		City and Kenai Peninsula College
▪ <del>Amend non-conforming use ordinance.</del>	x			City
▪ Review and consider revising existing Planned Unit Development code.		x		City
▪ Support LEED or other building efficiency programs.		x		City
▪ Adopt building codes.		x		City
▪ Establish a maximum building setback for Town Center.	x			City

Project	Timeframe			Primary Responsibility
	Near Term	Mid Term	Longer Term	
Green Infrastructure				
▪ Evaluate incentives to promote development that uses the green infrastructure ideas presented in Appendix D.	x			City
▪ Develop new standards to address issues related to shore stabilization and ocean front development.		x		City
▪ Pursue sustainable development measures that promote energy efficiency, use of recycled materials, and low impact landscaping in city buildings.	x			City
Pattern of Development				
▪ Work with Borough to prepare mutually acceptable development standards.		x		City, with Kenai Peninsula Borough
▪ Establish a clear policy regarding delivery of City water outside of city limits.	x			City, with Kenai Peninsula Borough
▪ Establish more specific criteria, process, schedule and objectives for possible future annexations.		x		City
▪ Amend city code to recognize the transfer of development rights to preserve environmentally sensitive or recreational areas.	x			City
▪ Develop a Homer Spit Master Plan.	x			City, Port & Harbor Dept



## **Appendix D**

### **Background Land use information**

#### **Contents:**

1. Green Infrastructure Mapping
2. Site Development Practices
3. Land Suitability Mapping
4. 2005 Wetlands Map
5. 2008 Zoning Map
6. Map of existing water and sewer infrastructure

### **Green Infrastructure Mapping**

Following is a draft Green Infrastructure map developed by DnA Design of Homer as part of an independent project with the local Soil & Water Conservation District. The map was developed as a way to define lands viable for future development while considering the need to protect drainage, open space and other environmental features that would complement development. The project defines incentives for developers to consider landscape systems in their projects while maintaining or enhancing their bottom line. The green infrastructure elements are determined by overlaying scientific, ecological and economic values to provide not only an ecological benefit, but also quantifiable economic and quality of life benefits. Since Green Infrastructure (GI) looks at larger scale landscape systems, the map extends beyond the boundaries of the city to include entire watersheds and other key features that cross the political boundary of the city limit. The map legend categories are defined more precisely as follows:

**Highly Developable/Developed (white)**—Areas that are well suited for development or are already developed.

**Some Green Infrastructure Elements (yellow)**—Areas that are well suited for development with consideration of larger landscape systems, such as storm water management, upland-wetland complexes, poor soils, unstable slopes, trails, habitat, etc. These areas will likely have associated incentives to maintain environmental systems while enhancing land values.

**Important Green Infrastructure Elements (light green)**—Development in these areas should consider the specific Green Infrastructure characteristics present. These are not critical natural areas. However, if development in these areas is not careful, it will negatively impact larger landscape systems. Construction costs in these areas will probably be higher if the natural characteristics are not considered. These are areas where the public and property owners should be made aware that there is some important characteristic that they should consider protecting (such as steep slope, valuable wildlife habitat, adjacent creeks, trails or wetlands). Carefully planned development that preserves or enhances Green Infrastructure elements can add value to real estate, for example, by retaining natural features and wildlife. These are areas that would benefit from clear development guidelines to preserve landscape systems, and would be eligible for special development or restoration incentives.

**Critical green infrastructure (dark green)**—These areas have sensitive or critical landscape systems, processes, or connections and are most appropriate for conservation. They are predominantly areas with steep slopes, critical wetlands, poor soils or other sensitive landscape features. These areas would likely be very difficult and expensive to develop, and are limited by existing federal regulation. Development in these areas will cause significant impacts on natural systems, neighboring properties and possibly view sheds, and will increase the risk and associated costs due to natural hazards. These

areas should be considered amenities for the city and its residents because of their value for storm water management, habitat protection, view shed protection open space and trails. Options for preserving these lands should be explored, for example, through conservation easements, land or development trades, or other creative incentives, particularly for areas held in private ownership.

This Green Infrastructure map is generated from spatially explicit GIS base maps including and considering:

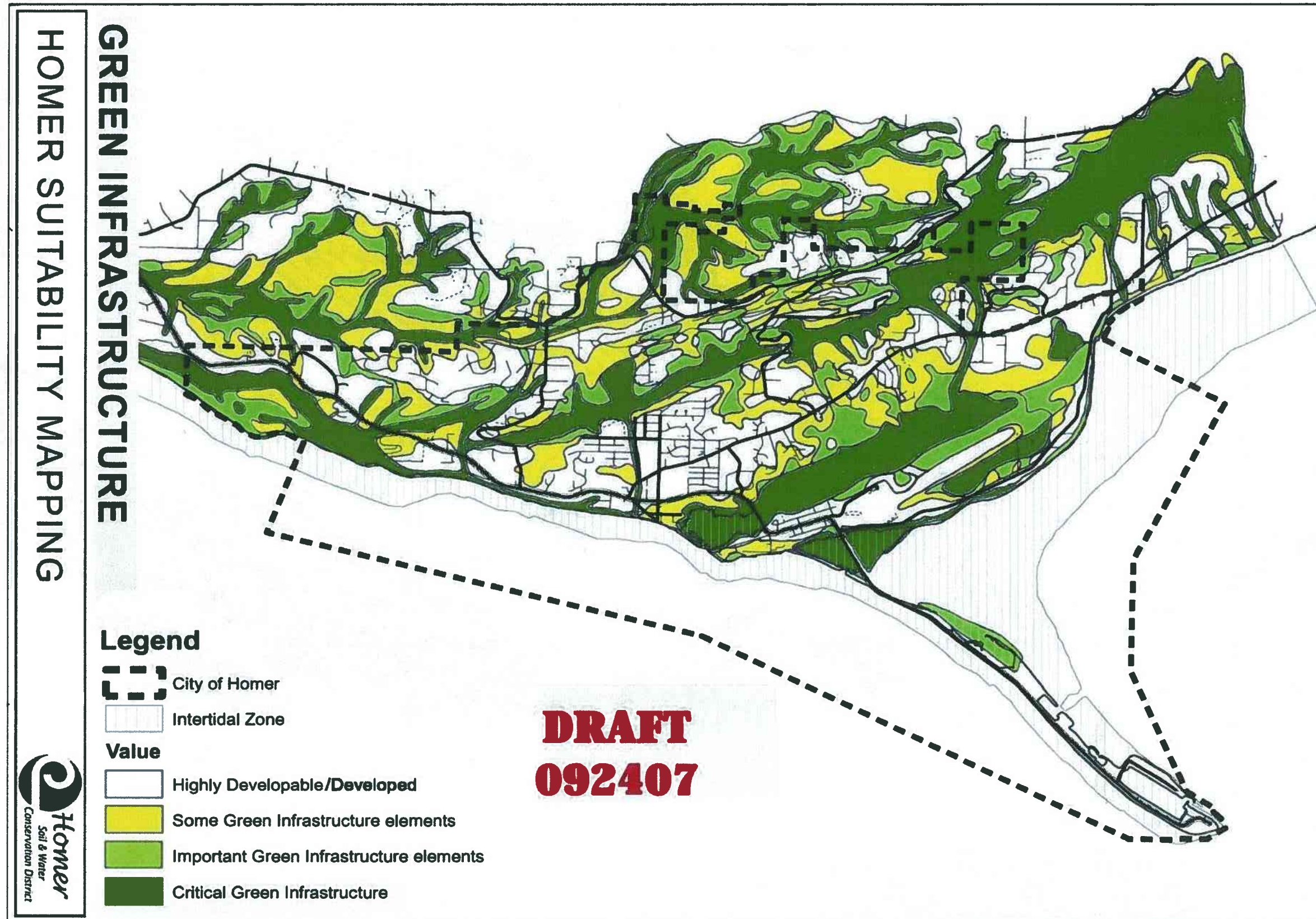
- Soils
- Creeks and drainages
- Slopes
- Bluff erosion
- Construction costs (essentially development costs due to slope, road access, soils, wetlands, open water and drainages)
- Trails and public amenities
- Storm water management
- Wetlands
- Vegetation habitat
- Wildlife habitat
- Accessible lands—lands already served by road and water and sewer (basically a weighted buffer by infrastructure construction costs)
- Views and view sheds

More information on the background data and methods behind the Green Infrastructure map as well as possible incentives can be found by going to [www.suitabilitymap.org](http://www.suitabilitymap.org)

**Specific steps to establish a system of green infrastructure include those outlined below; the diagram provides a simplified illustration of this approach:**

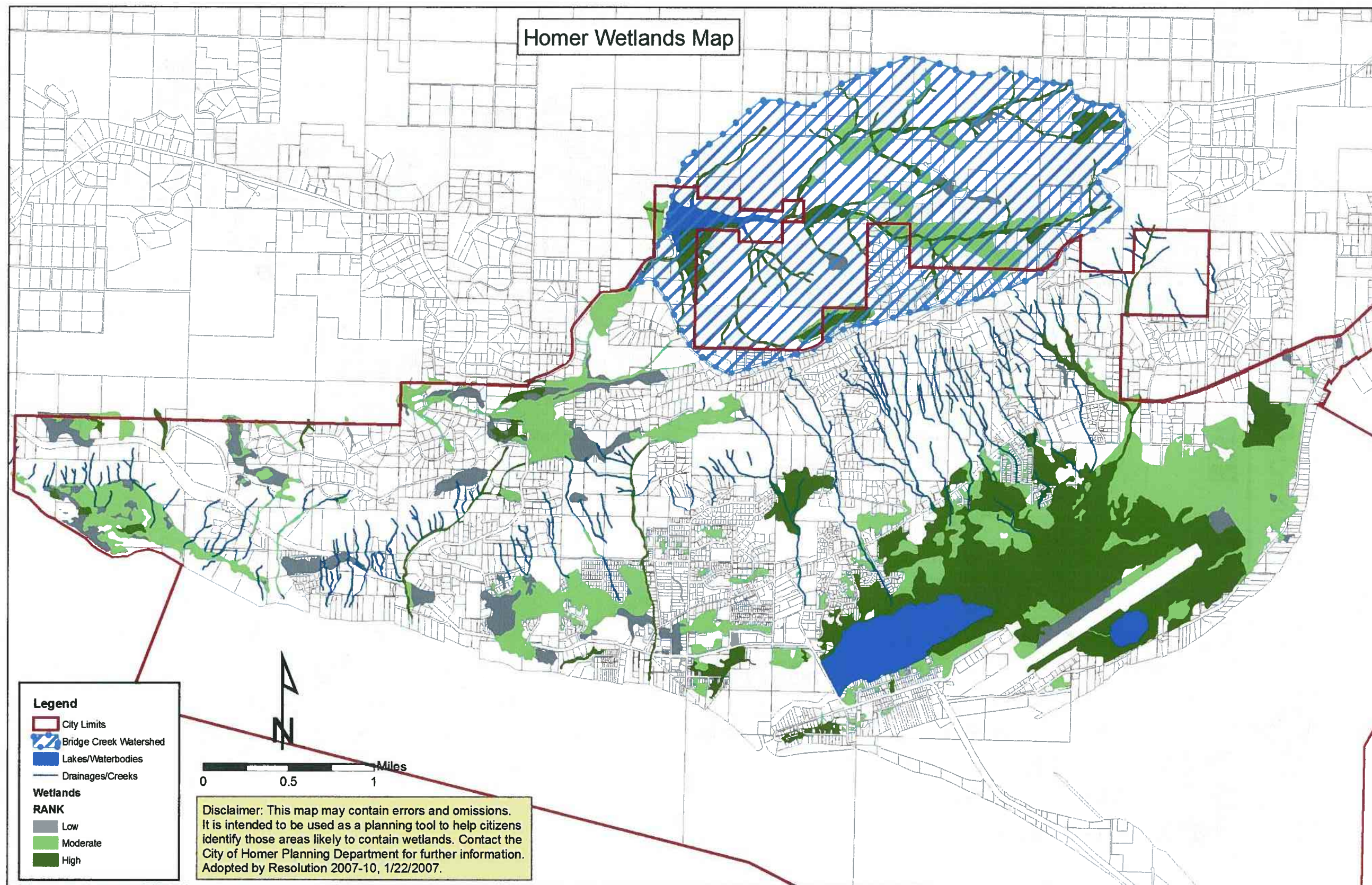
1. Identify and map individual environmental features and processes – erosion areas, wetlands, steep slopes, aquifer recharge areas, shoreline access points, critical view sheds, etc.
2. Identify open space and recreation areas – trails, parks and recreation use areas, view sheds and other features that are best protected by allowing the land to remain largely undeveloped.
3. Overlay mapped environmental features with open space and recreation areas to create an integrated “green infrastructure” network map. This should identify features such as stream corridors and trails that cross multiple properties. Also identify areas that may be able to support development, but will require special standards to maintain environmental quality (e.g., steep slope areas).
4. Limit areas included in the green infrastructure map to those of highest value or greatest constraint. For example, the map should identify the most important trails, the most important wetlands and streams, the steepest slopes.
5. Formally adopt the map, recognizing that site-specific developments may lead to changes in the features that need protection for particular development projects.
6. Establish a formal process that balances the long term communitywide benefits of the green infrastructure concept with short-term impacts on individual private landowners.





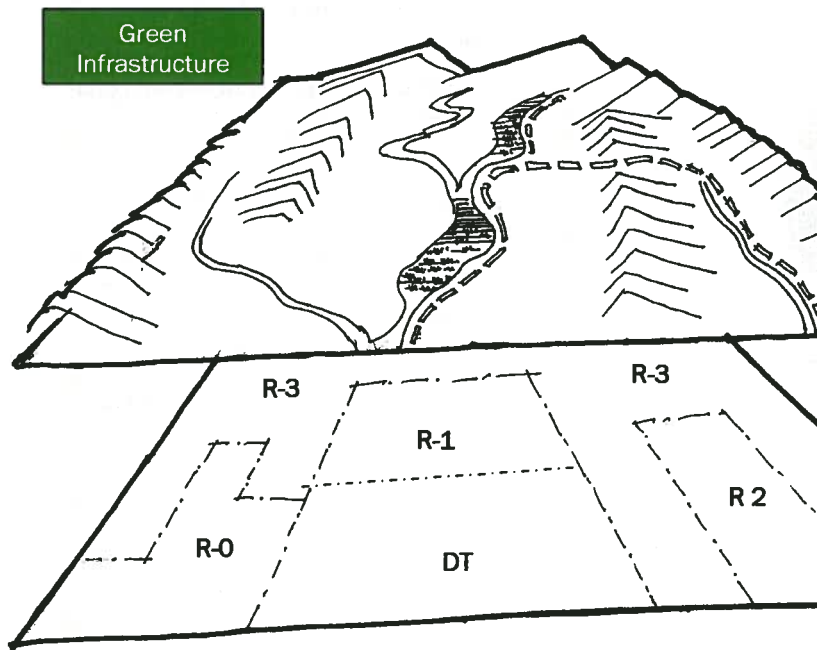
Note: The map shown on this page is provided only as an illustration. It was developed by the Homer Soil and Water Conservation District and is included in this document for descriptive purposes only. While illustrating the general objectives for green infrastructure that are endorsed by this plan, this draft map will not be adopted as part of this comprehensive plan. For more information on this project go to [www.suitabilitymap.org](http://www.suitabilitymap.org)







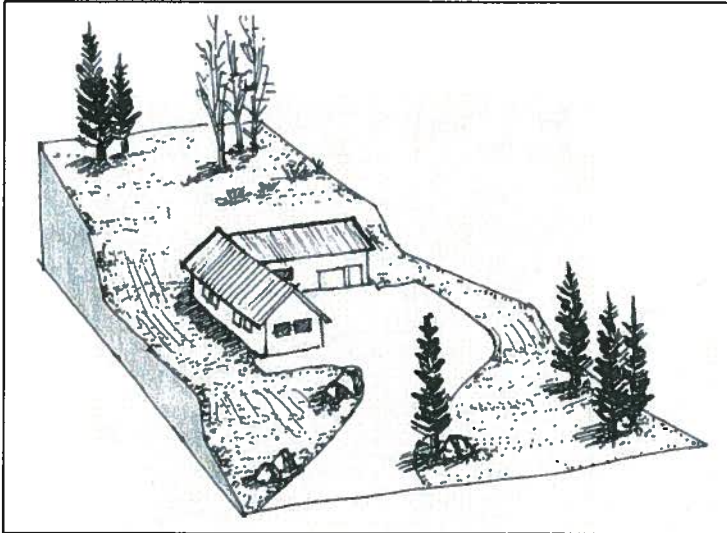
## Site Development Practices



### GREEN INFRASTRUCTURE OVERLAY PROCESS

1. Map individual environmental values:
  - Functional & hazard areas: e.g., streams, and wetlands, aquifer recharge areas; steep slopes
  - Open space and recreation resources – trails, recreation use areas, access points.
2. Integrate resource information to identify a system of priority “green infrastructure”
3. Overlay the green infrastructure map on the zoning map - define areas where natural resource functions and open space values should be maintained. Be flexible about the specific mechanisms used to protect green infrastructure values

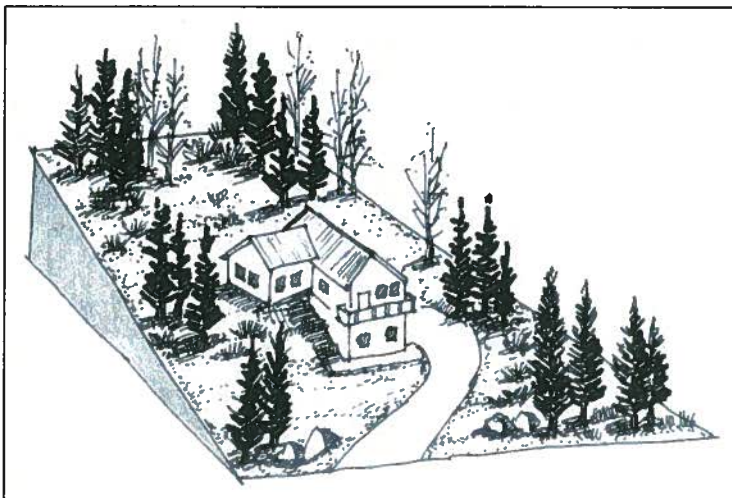
## Site Development Practices



### Site Development Practices – Option A

- Large building footprint (and therefore large impervious area relative to building square footage)
- Large impervious area, including large driveway, paved walkway
- Large lawn, majority of original vegetation removed
- Substantial cut and fill of original grade to create housing pad
- No provisions for roof run off, on site infiltration
- Relatively high winter and summer maintenance costs for yard care and snow removal

**Potential Neighborhood Effects** – relatively greater odds of increased drainage & glaciation issues, greater change in character



### Site Development Practices – Option B

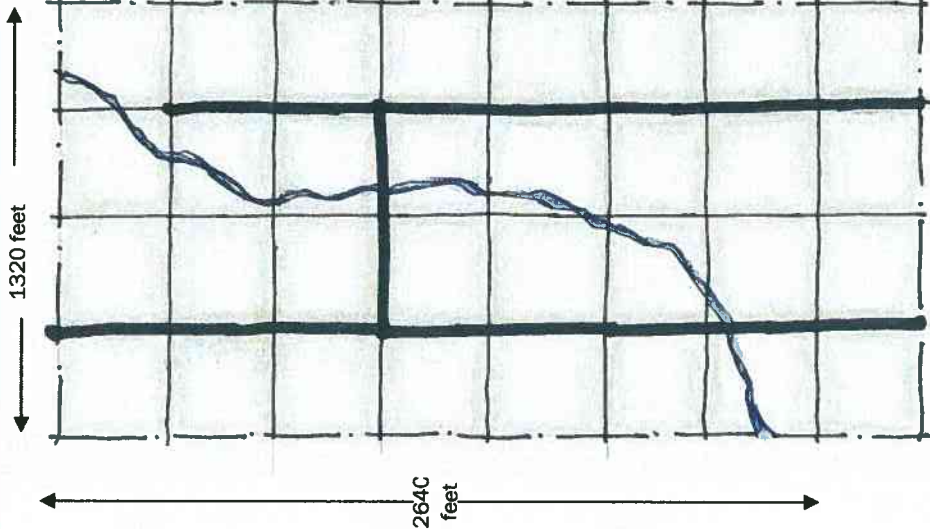
- Small footprint building (relative to building square footage)
- Limited impervious surfaces –stepping stones, narrow permeable surface driveway
- Majority of original natural vegetation retained, with exception of trees near house (for fire safety)
- Building set at two levels to retain existing topography and minimize need for grading
- “Rain gardens” used to trap, infiltrate roof runoff

**Potential Neighborhood Effects** – Reduced impact on natural drainage, reduced off-site runoff; sense of privacy and rural character retained, less yard care and less snow removal costs



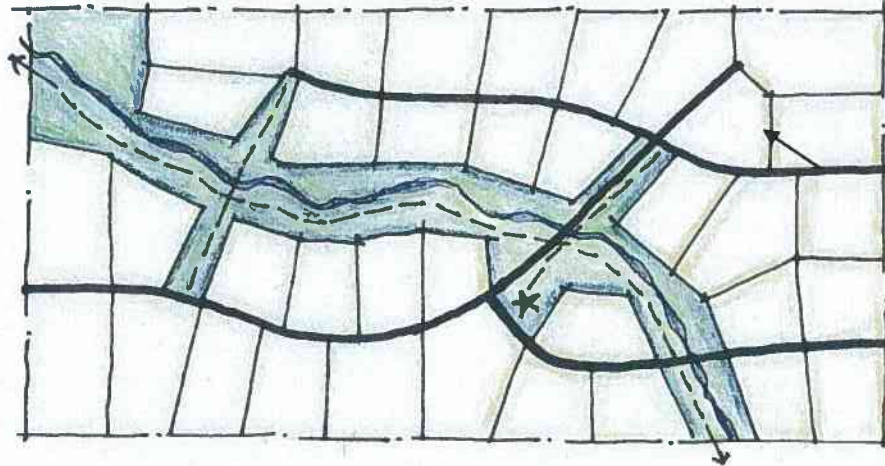
# **Three Illustrative Alternatives – Based on a Hypothetical 80 acre Parcel** **Subdivision Options**

**A. Traditional Subdivision**  
 32 lots, 2.5 acre per lot  
 No reserved open space



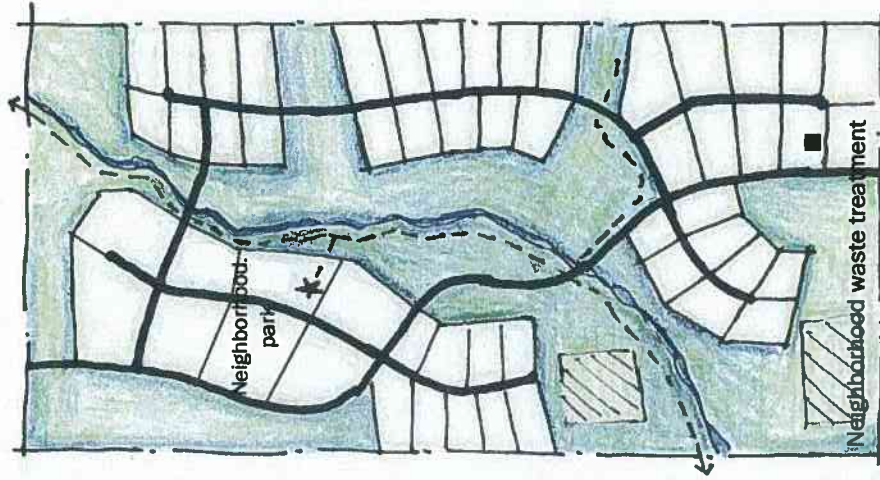
Lots 330' x 330'

**B. Open Space Subdivision**  
 36 lots, 1.5-2.5 acres per lot  
 Approximately 15 acres open space



Typical Lot 250' x 360'

**C. Open Space Subdivision**  
 50 lots, about .50-1.0 ac/lot (20-30,000 SF)  
 Approximately 35 acres open space



Typical Lot – about 125' x 200'

■ Indicates 50' x 50' footprint, 2500 square feet

**This page intentionally blank**



# HOMER SUITABILITY MAPPING

## G.I. and DEVELOPABLE LANDS

### Legend

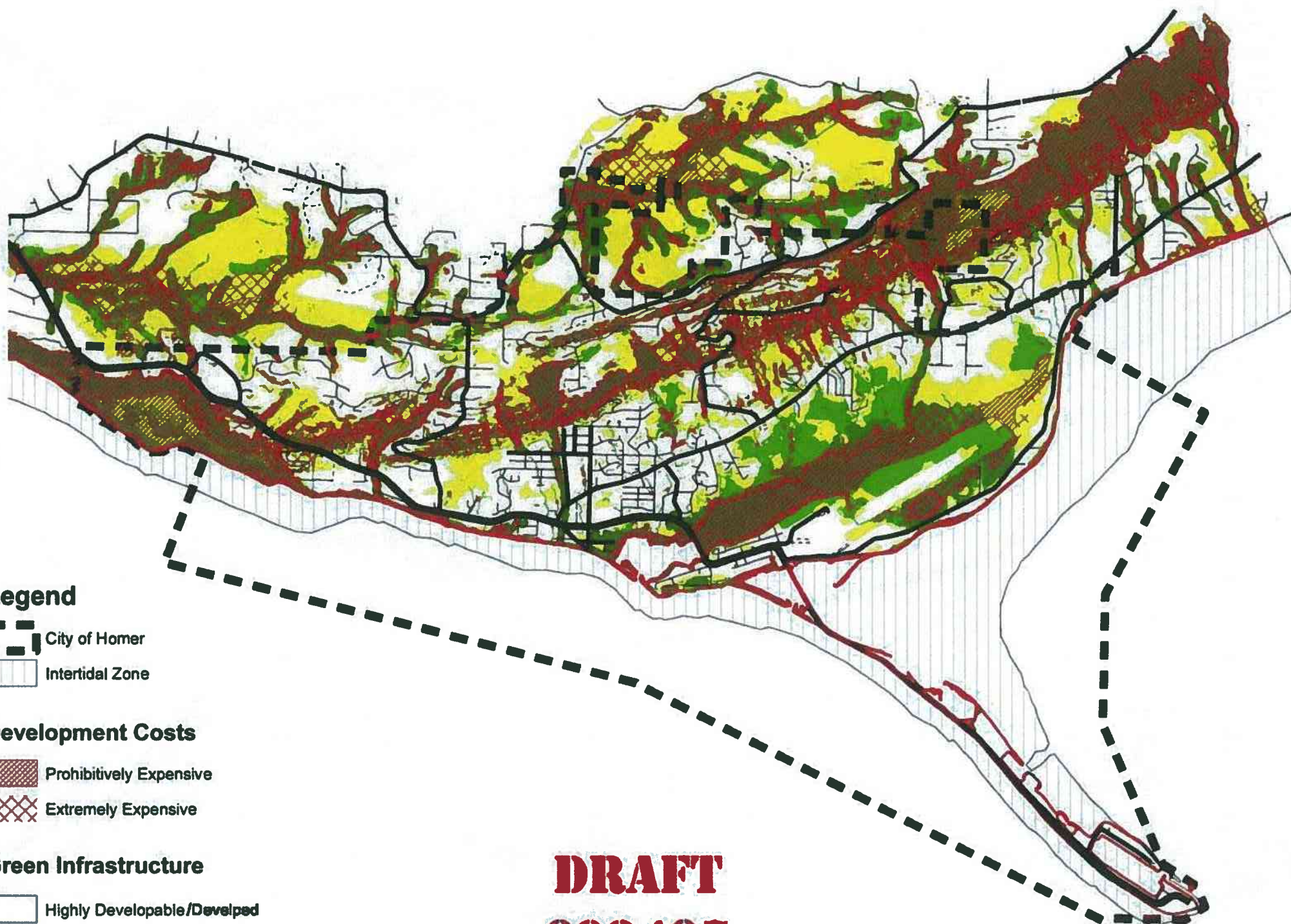
-  City of Homer
-  Intertidal Zone

### Development Costs

-  Prohibitively Expensive
-  Extremely Expensive

### Green Infrastructure

-  Highly Developable/Developed
-  Some Green Infrastructure Elements
-  Important Green Infrastructure Elements
-  Critical Green Infrastructure Elements



**DRAFT**  
**092407**










# HOMER SUITABILITY MAPPING

## G.I. and DEVELOPABLE LANDS 2

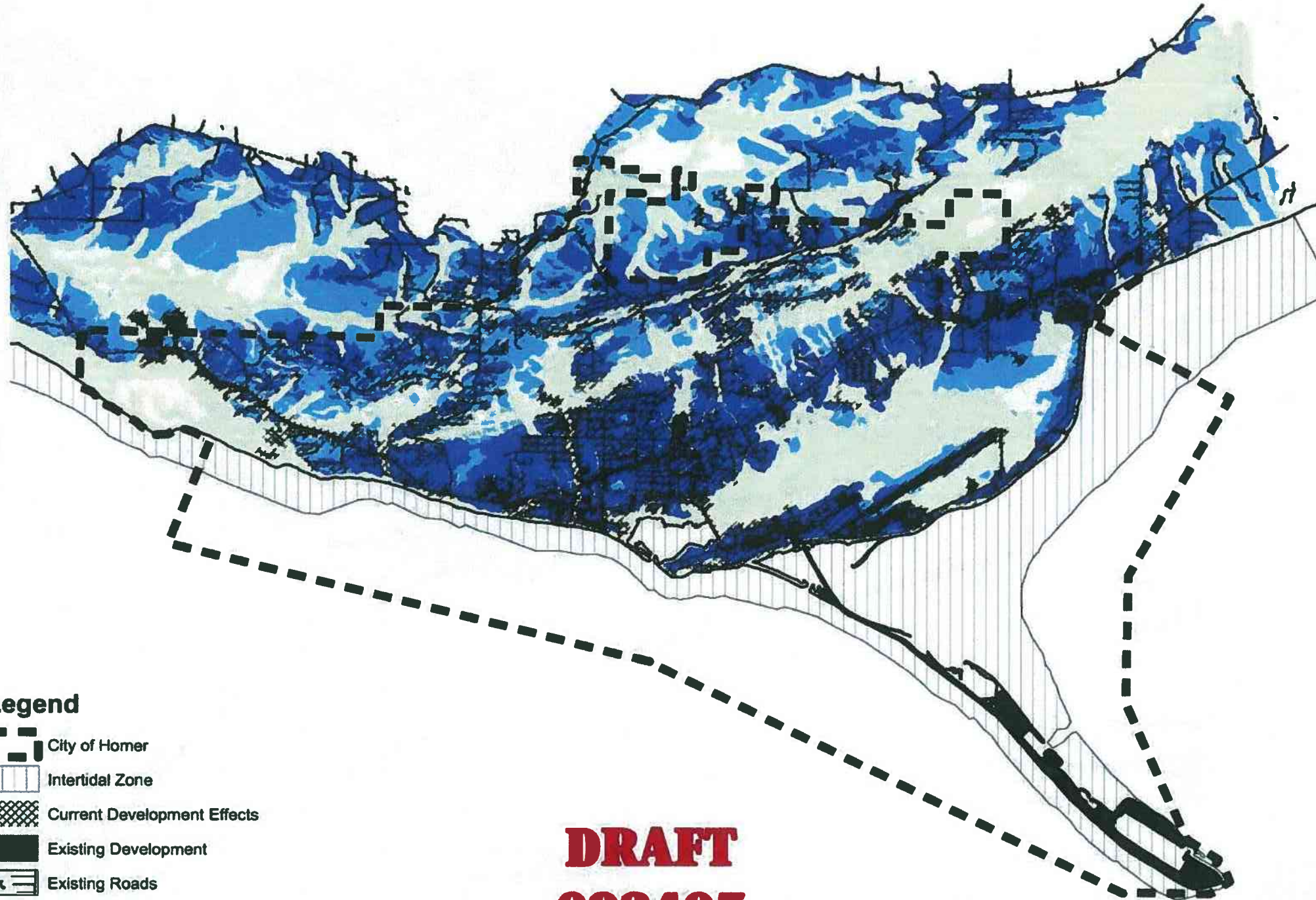


### Legend

-  City of Homer
-  Intertidal Zone
-  Current Development Effects
-  Existing Development
-  Existing Roads

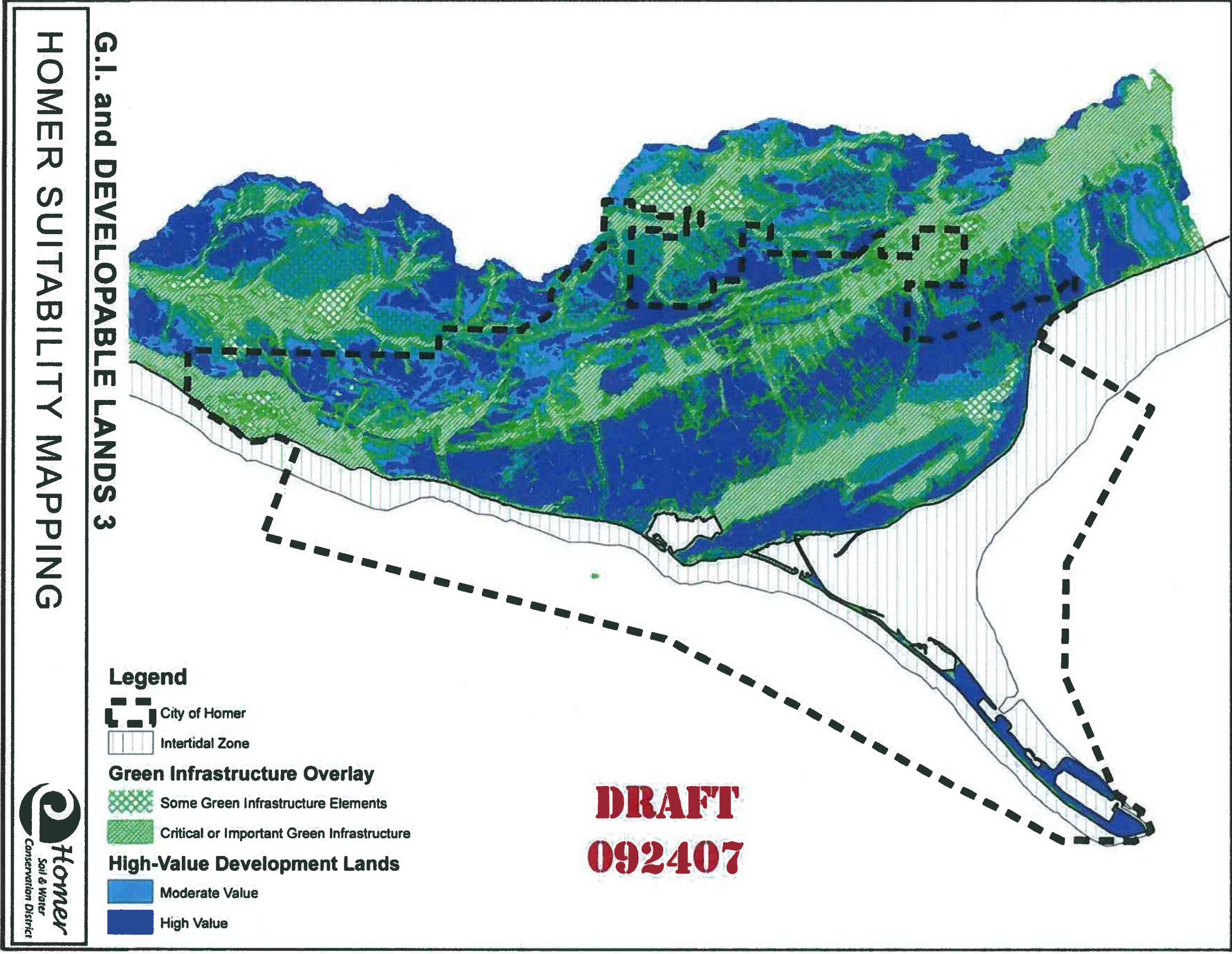
### High-Value Development Lands

-  Moderate Value
-  High Value



**DRAFT**  
**092407**



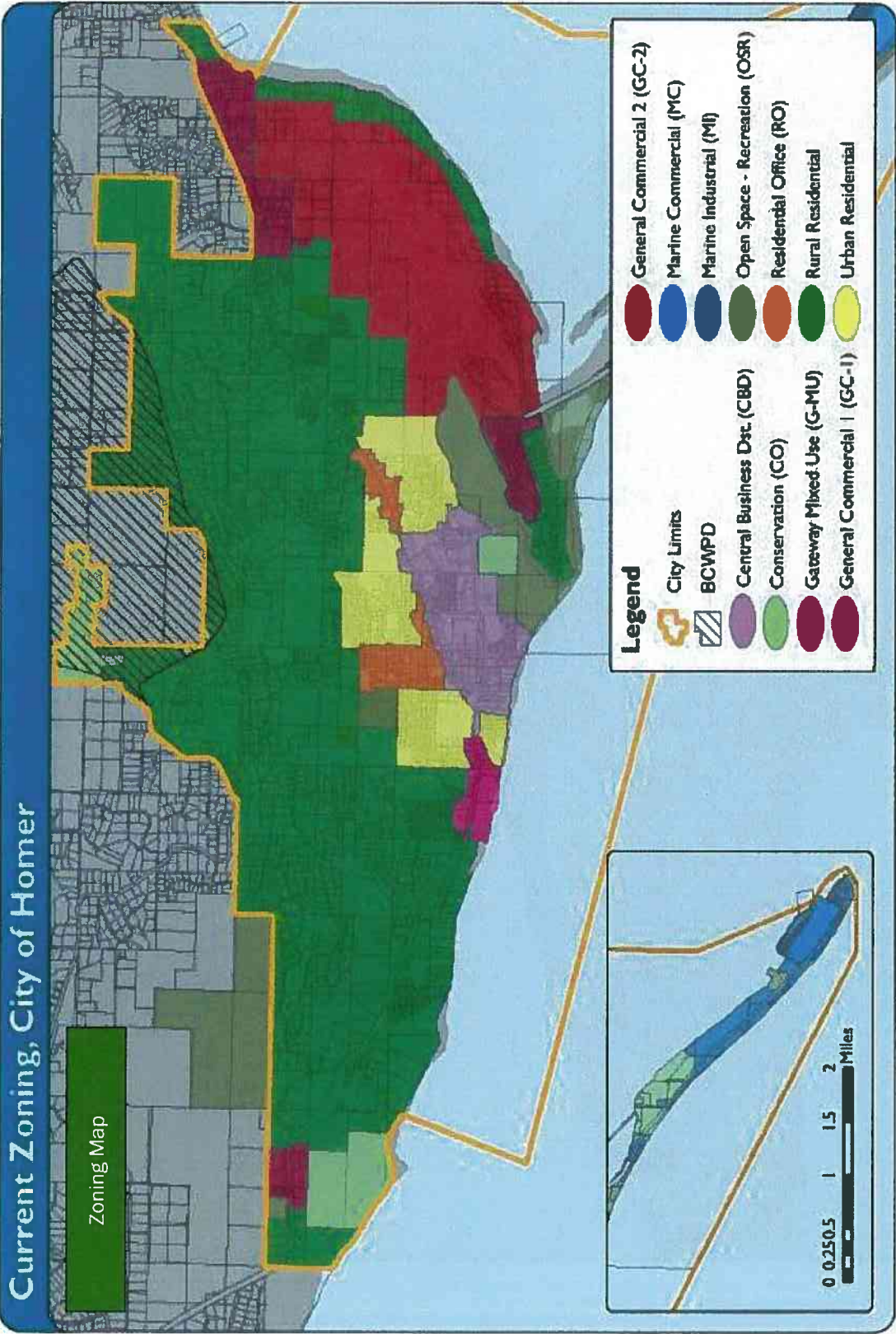




**This page intentionally blank**

# Current Zoning, City of Homer

Zoning Map



## Legend

- City Limits
- BCWPD
- Central Business Dist. (CBD)
- Conservation (CO)
- Gateway Mixed Use (G-MU)
- General Commercial 1 (GC-1)
- General Commercial 2 (GC-2)
- Marine Commercial (MC)
- Marine Industrial (MI)
- Open Space - Recreation (OSR)
- Residential Office (RO)
- Rural Residential
- Urban Residential

Map by Agnew::Beck.

All data courtesy of City of Homer.

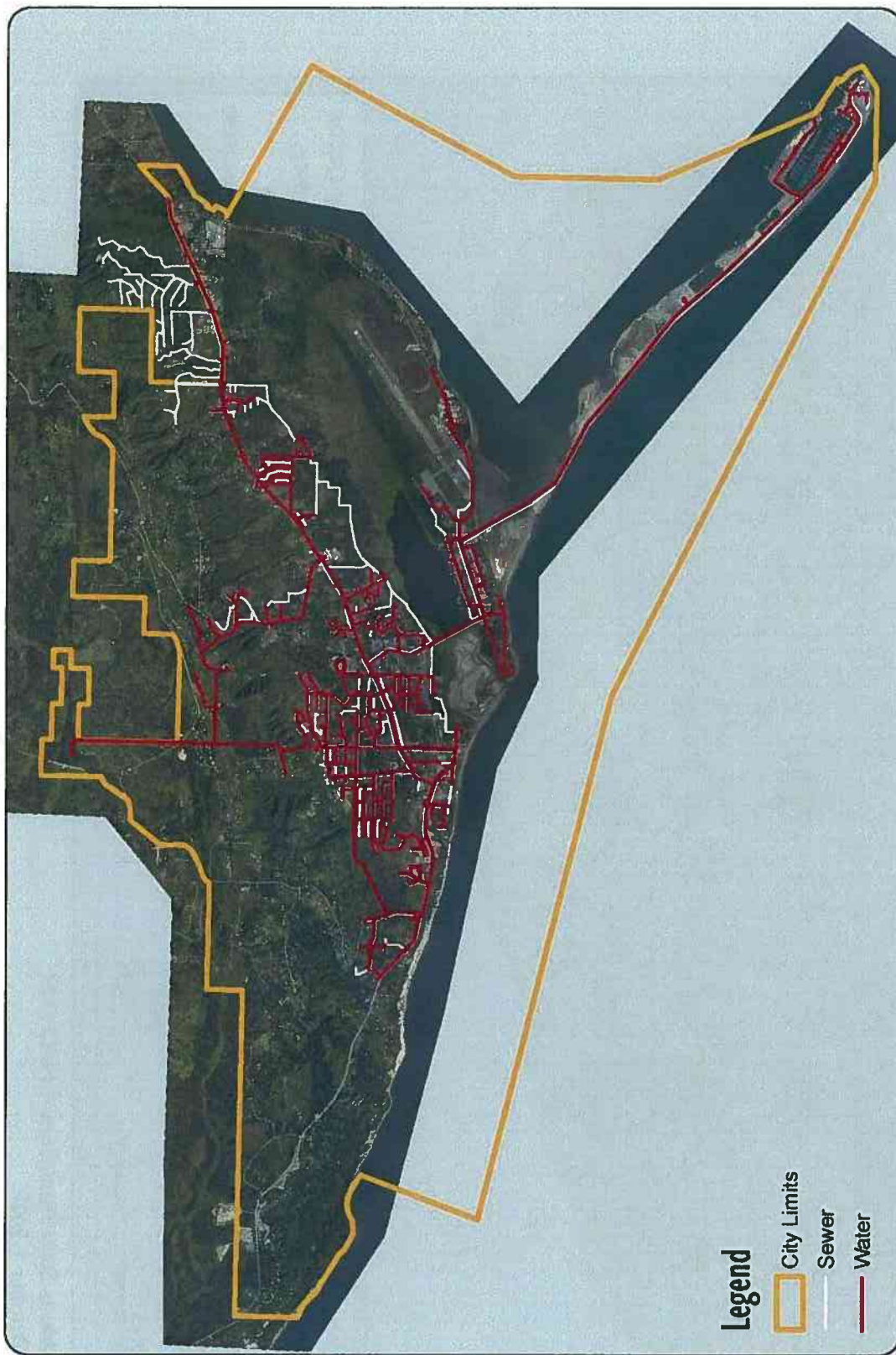


Alaska State Plane, Zone 4, NAD 1927

October 1, 2007

This map was compiled for the City of Homer.





# **Existing Water and Sewer Lines, City of Homer**

Alaska State Plane, Zone 4, NAD 1927  
 March 13, 2007  
 All data courtesy of City of Homer.



This map was compiled for the City of Homer.

**Legend**  
 City Limits  
 Sewer  
 Water







## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Zak and Homer City Council  
FROM: Katie Koester, City Manager  
DATE: May 24, 2017  
SUBJECT: City Manager's Report – May 30

---

### Update on Jack Gist Lot

Since the passage of Resolution 16-133 approving the City Manager to enter into negotiations on the purchase of Jack Gist Subdivision lot 3 to enhance Jack Gist Park, I have been working with the City's broker, Angie Newby of Homer Real Estate, on negotiating with the sellers to purchase the lot. After multiple offers and counters, I believe both parties are still quite a ways apart and I am looking for further guidance from Council. The parcel is 2.33 acres on the uphill side of Jack Gist Park and is listed for \$69,500. The 2017 assessed value is \$40,600, up \$3,200 from 2016. The lot has value to the City as property adjacent to Jack Gist Park, however there are no immediate plans to develop the park in that direction. According to the Capital Improvement Plan, the priority for Jack Gist Park is drainage improvements (\$50,000), concession stand and equipment storage (\$75,000) and an irrigation system (\$35,000). A private developer would face costly hurdles to development, including the cost of bringing in electricity, water and sewer. Nevertheless, this is a large parcel conveniently located near town that could be attractive to an entrepreneur to develop into cabin rentals, for example. The advice of our broker is to put this purchase on the back burner for a while as we have already offered the upper end of what her professional assessment of fair market value is. I am comfortable with that, but would like Council's feedback on how aggressively to pursue purchase of the lot.

### Alaska State Chamber Welcome Reception

The Alaska State Chamber will be holding their 2017 Community Outreach Trip in Homer June 13-15. Mayor Zak and I are scheduled to speak at their breakfast meeting on the history, economy and opportunities of Homer. The Alaska Chamber would like to extend an invitation to Councilmembers to attend the welcoming reception Tuesday June 13 from 5:30-6:30pm at Land's End Quarter Deck. The Clerks will advertise the event to ensure all members are welcome to attend.

### Alaska Mental Health Trust Authority (AMHTA) Land on Homer Spit

When I became City Manager, a little over 2 years ago, a project I inherited from Interim City Manager Yoder was the potential purchase of land owned by Alaska Mental Health Trust Authority (AMHTA) on the Homer Spit near the mouth of the Harbor. Currently AMHTA leases

this land to Icicle Seafoods. The City had asked AMHTA for an easement on their land to construct a trail and protect it from erosion. Over the course of those conversations, The Trust Land Office (TLO), who manages lands of behalf of the AMHTA, expressed an interest in selling the land. The Port and Harbor is interested in City control of the lands surrounding our economic engine, the Port and Harbor. Conversations regarding the land have been frustrated with questions regarding potential clouds on the title. Port and Harbor Director Hawkins and I met with Trust Land Office (TLO) staff and the City Attorney testified in front of the AMHTA Board regarding the land ownership issues at their May 3<sup>rd</sup> quarterly meeting. Since then the Port and Harbor Director and I met with Department of Natural Resources (DNR) Commissioner Andy Mack to request the assistance of DNR in researching title and municipal land transfers from incorporation.

### **FAA Public Meeting**

What is a safe elevation for a small plane flying above a populated area? What can be done to mitigate aircraft noise? If a citizen suspects unsafe behavior from a pilot, how do they document and report it? What are the unavoidable impacts to living next to an airport that residents can expect? These questions and many more will be answered at a public meeting hosted by the Federal Aviation Administration June 8<sup>th</sup> at 6pm in Council Chambers.

### **Timeline for Fish Pump RFP**

As directed by City Council, the Port and Harbor Advisory Commission will review the Request for Proposal for an additional fish pump at the Fish Dock on May 24<sup>th</sup>, after this packet deadline. The Commission will report at the May 30<sup>th</sup> council meeting any recommendations. Pending the green light from the Commission, the City could advertise the RFP next month.

### **Opioid Public Meeting**

What: South Peninsula Hospital is sponsoring a community 'check-in' to learn more about opioid addiction, hear about state and local response to the opioid crisis, and honor the story of addiction and recovery. See the attached flyer or visit [www.sphosp.org](http://www.sphosp.org) for more information.

Where: Homer High School Commons

When: Doors open 5:30pm; Presentations begin at 6pm

Who: Open to the public. Featuring Dr. Jay Butler, Chief Medical Officer, State of Alaska, and Dr. Sarah Spencer, Addiction Medicine Specialist; Includes panel discussion and conversation. Hosted by MAPP of the Southern Kenai Peninsula

### **Natural Gas Bills**

I am pleased to report that the majority of the statements for the gas line assessment were mailed by May 16, well in advance of the July 1 payment deadline. The mailing of thousands of bills was challenging for the Finance Department as the financial management software, Caselle, the City uses is not set up to handle the specific parameters of the gas line assessment that Council put in place. The frustrations with Caselle are ongoing and extend beyond assessment districts. Though likely not a project for 2017, I foresee issuing a request for proposals for a new financial management software in our future.



### **Meeting with Coast Guard Admirals**

United States Coast Guard scheduled an impromptu meeting with Mayor Zak and myself on Monday May 22. The team, consisting of Admirals from Juneau, San Francisco and Washington DC, appeared to be the decision makers regarding the placement of fast response cutters the Coast Guard is deploying in Alaska on a quick reconnaissance mission to each of the ports in question. Two of the scheduled 6 vessels are already slotted for Ketchikan, the John McCormik having arrived April to the port of Ketchikan. Seward, Valdez, Cordova, Sitka and Kodiak are competing to homeport the remaining 4 vessels. The City of Homer has reached out multiple times to the Coast Guard, including a visit between councilmembers and District 17 Chief of Staff regarding the placement of the vessels in the new large vessel harbor. The partnership with USCG will be key to launching the Large Vessel Harbor project. Not only would this harbor provide customized moorage for the new fast response cutters, it would also provide a secure home for the Hickory. I have no timeline for when the Coast Guard will make their decision, but was encouraged by the visit and detailed questions they asked about quality of life in Homer, which we have in spades.

### **Helping SPARC**

SPARC has requested assistance from Public Works to help connect the building to water and sewer. I am hesitant to commit resources since the crew is gearing up for a busy summer and any extra work they do will pull them away from other projects. However, the request is for in-kind contributions only and the project will be limited to approximately 18 hours of staff time and 10 hours of equipment time. SPARC has hired a contractor to install the service line. Public Works is being asked to complete the last step in the installation - to physically connect to the main. City crews would fit the work in on an as available basis, but it should be complete sometime in June. Running water will greatly expand the capacity at SPARC and let the facility be used for a host of community events. I am interested to hear Council feedback on this non-standard request.

### **Firewood for Sale at City Campgrounds**

Just in time for the busy summer season, the City has entered into a short-term agreement with Woody's Alaskan Firewood Company to sell firewood in three city campgrounds: Mariner Park, Pier One, and Karen Hornaday Park. The permit issued by the City allows Woody's Alaskan Firewood Company to drive through each of the three campgrounds two times per day with additional drive throughs permitted on holiday weekends during daytime hours. In addition, Woody's Alaskan Firewood Company may park a "manned" vehicle near the entrance of each park, to be removed at night. I appreciate the work of Woody's in jumping through the hoops the City of Homer requires such as adequate insurance and signage restrictions to provide this service to our visitors. Readily available firewood will cut down on the use of driftwood that protects our berms and provide a more enjoyable experience for visitors.

Enc:

Jack Gist CIP Project Page

Invite from Alaska State Chamber to Welcome Reception

FAA Public Meeting Flyer

Responding to Opioid Addiction Flyer  
Homer Foundation Quarterly Report



## Jack Gist Park Improvements, Phase 2

---

**Project Description & Benefit:** Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel has been developed primarily for softball fields. It also features a disc golf course.

The proposed project will complete Phase 2 by improving drainage around the upper ball field, constructing a concession stand/equipment storage building adjacent to the softball fields, and developing an irrigation system utilizing a stream on the property in conjunction with a cistern. Phase 3 will provide potable water (water main extension), construct a plumbed restroom, and acquire land for soccer fields.

**Plans & Progress:** Phase 1 of this project was completed in 2011 after a five year period of incremental improvements. In 2005-2006, a road was constructed to Jack Gist Park from East End Road, a 70-space gravel parking area was created, and three softball fields were constructed including fencing, dugouts, and backstops. In 2008, bleachers were installed at all three softball fields. In 2009, three infields were resurfaced. In 2010, with volunteer help, topsoil was spread and seeded on two of the three fields and the parking area was improved and expanded. 2011 saw improvements to the third ball field: drainage improvements on the outside perimeter (right and left field lines), imported material to improve the infield and topsoil and seeding to improve the outfield.

**Total Project Cost:** \$160,000

Drainage: \$50,000

Concession Stand and Equipment Storage: \$75,000

Irrigation System: \$35,000

**Schedule:** 2018-2019

**Priority Level:** 2



One of the new softball fields at Jack Gist Park

# Welcome Reception

Land's End Resort, Quarter Deck

4786 Homer Spit Road

Homer, AK 99603

Tuesday, June 13

5:30-6:30 p.m.

.....

You are cordially to invited to a reception with  
Alaska Chamber members who will be in Homer June 13-15  
for their 2017 Community Outreach Trip.

During their visit, Alaska Chamber members are eager to  
learn about the issues, challenges, and successes unique to the  
Homer business community; as well as explore the sights  
and sounds, and delicious tastes of Kachemak Bay!

## ..... RSVP .....

Please RSVP by Friday, June 2 to Crystal Norman  
at [cnorman@alaskachamber.com](mailto:cnorman@alaskachamber.com) or (907) 278-2732.



# Aviation Safety in the Flight Patterns around Homer Alaska

## Event Details

This is an aviation safety event designed to be informative to the general public on safe operating practices for aircraft in the Homer area. The presentation will consider airman responsibilities and normal flight patterns at airports as well as rising terrain and populated areas.

**Directions:** Cowles Council Chambers, City Hall, 491 E. Pioneer Avenue

Thu, Jun 8, 2017 - 18:00 AKDT  
Homer City Hall Council  
Chambers  
491 E. Pioneer Avenue  
Homer, AK 99603



Contact: KENNETH ALLEN THOMAS  
(907) 271-5368  
[ken.a.thomas@faa.gov](mailto:ken.a.thomas@faa.gov)

Select #: AL0076443

POC KENNETH ALLEN THOMAS

### **A message from the National FAASTeam Manager**

Invite a fellow pilot to the next WINGS Safety Seminar in your area.

Sign up for the FAA's safety services at [www.FAASafety.gov](http://www.FAASafety.gov)!

The FAA Safety Team (FAASTeam) is committed to providing equal access to this meeting/event for all participants. If you need alternative formats or services because of a disability, please communicate your request as soon as possible with the person in the "Contact Information" area of the meeting/event notice. Note that two weeks is usually required to arrange services.





# Responding to Opioid Addiction in the Community

---

A community presentation and conversation

---

— Wednesday, May 31 —

Doors open 5:30pm | Presentations begin at 6pm

Homer High School Commons

---

A community check-in to learn more about opioid addiction, hear about state and local response to the opioid crisis, and honor the story of addiction and recovery

Featuring Dr. Jay Butler, Chief Medical Officer, State of Alaska,  
and Dr. Sarah Spencer, Addiction Medicine Specialist;

Includes panel discussion and conversation. Hosted by MAPP of  
the Southern Kenai Peninsula

More info at [www.sphosp.org](http://www.sphosp.org)



South  
Peninsula  
Hospital 120



**HOMER FOUNDATION**  
Quarterly Report to Fund Holders  
*Jan - Mar 2017*

Fund Holder    City of Homer  
Fund            **City of Homer Fund**

Fund Type:    Field of Interest  
Fund Code:    1305

---

**PORTFOLIO SHARE (Corpus)**

Beginning Balance	191,469.52
Contributions	-
Withdrawals	-
Portfolio Market Change	4,151.14
<b>Ending Balance</b>	<b>195,620.66</b>

---

**AVAILABLE FOR DISTRIBUTION (Earnings)**

Beginning Balance	27,336.15
Earnings Allocation	1,485.61
Grants Awarded:	
none this quarter	-
	-
	-
Grants Total	-
Transfers to Restricted Fund	-
<b>Ending Balance</b>	<b>28,821.76</b>





## **KENAI PENINSULA BOROUGH**

### **PLANNING DEPARTMENT**

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2215 • **FAX:** (907) 714-2378

**Toll-free within the Borough:** 1-800-478-4441, Ext. 2215

[www.kpb.us](http://www.kpb.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

May 24, 2017

Homer City Council  
491 East Pioneer Avenue  
Homer, AK 99603-7645

**RE:** Vacate a 30' wide portion (approximately 0.113 acres) of Greatland Street Right of Way adjacent to the west boundaries of Lots 18-A and 19-A, as dedicated on Chamberlain and Watson Subdivision, Plat HM 1950-24; located within the NE 1/4 SE 1/4 of Section 19, T6S, R13W, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File 2017-056V

Dear Homer City Council Members:

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The KPB Planning Commission approved the referenced vacation during their regularly scheduled meeting of May 22, 2017. This petition is being sent to you for your consideration and action.

The City Council has 30 days from May 22, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Planning Commission will stand.

Attached are draft, unapproved minutes of the pertinent portion of the meeting and other related material.

Sincerely,

Max J. Best  
Planning Director

MJB:pdh

Attachments







## **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. 2215

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

May 24, 2017

### **KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION MEETING OF MAY 22, 2017**

**RE:** Vacate a 30' wide portion (approximately 0.113 acres) of Greatland Street Right of Way adjacent to the west boundaries of Lots 18-A and 19-A, as dedicated on Chamberlain and Watson Subdivision, Plat HM 1950-24; located within the NE 1/4 SE 1/4 of Section 19, T6S, R13W, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File 2017-056V

During their regularly scheduled meeting of May 22, 2017, the Kenai Peninsula Borough Planning Commission granted approval of the proposed right-of-way vacation based on the following findings of fact.

#### *Findings:*

1. The proposed vacation is within the City of Homer.
2. Development within the property is subject to the requirements of the zoning district.
3. The property is within the Central Business District.
4. Homer Advisory Planning Commission conditionally approved the proposed vacation on April 5, 2017.
5. Sufficient rights-of-way exist to serve the surrounding properties.
6. No surrounding properties will be denied access.
7. Per the submittal, the right-of-way proposed for vacation is not in use for access.
8. Per the submittal, the right-of-way proposed for vacation has not been constructed.
9. Homer Electric Association requested a 20-foot easement centered on their existing overhead power line.

#### *Conditions*

1. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe such that the plat can be recorded within one year of vacation consent.
2. Grant utility easements requested by the utility providers per KPB 20.30.060 and 20.60.150.
3. Grant utility easements for the City of Homer's water and sewer mains.

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from May 22, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

This notice and unapproved minutes of the subject portion of the meeting were sent May 24, 2017 to:

Tom Livingston  
3900 Arctic Blvd #301  
Anchorage, AK 99503-5782

Homer Advisory Planning Commission  
491 East Pioneer Avenue  
Homer, AK 99603

Homer City Council  
491 East Pioneer Avenue  
Homer, AK 99603

AGENDA ITEM F. PUBLIC HEARINGS

2. Vacate a 30' wide portion (approximately 0.113 acres) of Greatland Street Right of Way adjacent to the west boundaries of Lots 18-A and 19-A, as dedicated on Chamberlain and Watson Subdivision, Plat HM 1950-24; located within the NE 1/4 SE 1/4 of Section 19, T6S, R13W, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File 2017-056V

Staff Report given by Max Best

PC Meeting: 5/22/17

Purpose as stated in petition: This section of right-of-way has been determined to be unnecessary by the City of Homer.

Petitioner: Thomas W. Livingston of Anchorage, AK

Notification: Public notice appeared in the May 11 issue of the Homer News as a separate ad. The public hearing notice was published on May 18 as part of the tentative agenda.

Forty-four certified mailings were sent to owners of property within 300 feet of the parcels. Twenty-two receipts have been returned. Twenty-nine public hearing notices were sent by regular mail to owners within 600 feet of the proposed vacation.

Fourteen public hearing notices were emailed to agencies and interested parties.

Pertinent KPB Departments were notified of the proposed vacation by an interdepartmentally shared subdivision database.

Notices were mailed to the Homer Post Office and Homer Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

City of Homer:

Homer Advisory Planning Commission approved the proposed vacation on April 5, 2017 with staff recommendations and findings.

KPB 20.30.170 – Blocks – Length Requirements

**Staff Finding 1:** The current block length along the Sterling Highway is about 500 feet to Main Street, and 550 feet to Ohlson Lane. Vacation of Greatland Street south of the Sterling Highway would create a block length of about 1,100 feet. Vacation of Greatland Street would increase conformance with the requirement that block lengths be not less than 800 feet on an arterial and state maintained roads.

KPB 20.70.170 – Vehicular Access

**Staff Finding 2:** Equal or superior access exists for vehicular access. Greatland Street is undeveloped within this block. The primary parcel will access on Ohlson Lane. Other properties affected have access on Ohlson Lane or the Sterling Highway, which are both paved and maintained roads. Two or more access points are not necessary in this area.

KPB 20.70.190 – Utility provisions

**Staff Finding 3:** City staff has considered the existing a future municipal infrastructure and finds that utility easements are sufficient.

Homer Fire Department: No concerns.

Homer Public Works: The Transportation Master Plan does not show the portion of Greatland Street south of



the Sterling Highway being an important roadway corridor. This in itself does not mean it should not be constructed, but Public Works can find no reasonable argument that it should be. If the consensus is that no road will ever be constructed in the existing Greatland right-of-way (south of the Sterling Highway), Public Works will not object to vacating a portion of Greatland as proposed.

The vacation of any portion of Greatland should reserve utility easements for the water and sewer mains that exist or are proposed to be constructed, and a pedestrian access easement should be considered.

**Vehicular Access:**

If no right-of-way vacation is approved or it is approved as proposed by the applicant, Public Works would allow for a "driveway" to be extended from Bunnell to the property within the dedicated Greatland Street right-of-way. A permit and maintenance agreement would be required. The Fire Department has required (in similar situations) that this driveway be at least 20' wide and be able to support emergency vehicle access.

**Comments Received:**

Homer Electric Association: Existing OH power line is the centerline of a 20-foot wide electrical distribution line easement including guys and anchors.

KPB Addressing Officer: No objection to the vacation.

River Center: The proposed vacation is not within the Anadromous Habitat Protection District.

**Staff Discussion:** The City of Homer regulates the floodplain by HCC 21.41 Flood Prone Areas. Per Homer City Staff Report 17-37, the property is within Zone D, flood hazards undetermined.

The preliminary plat is scheduled for review by the Plat Committee on June 12, 2017.

If the proposed vacation is approved, it will create a substandard right-of-way width. An exception to KPB 20.30.120 will be required.

There will be an additional vacation going to the west towards Ohlson Lane in conjunction with this but it will be a different petition.

**Findings:**

1. The proposed vacation is within the City of Homer.
2. Development within the property is subject to the requirements of the zoning district.
3. The property is within the Central Business District.
4. Homer Advisory Planning Commission conditionally approved the proposed vacation on April 5, 2017.
5. Sufficient rights-of-way exist to serve the surrounding properties.
6. No surrounding properties will be denied access.
7. Per the submittal, the right-of-way proposed for vacation is not in use for access.
8. Per the submittal, the right-of-way proposed for vacation has not been constructed.
9. Homer Electric Association requested a 20-foot easement centered on their existing overhead power line.

**STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe such that the plat can be recorded within one year of vacation consent.
2. Grant utility easements requested by the utility providers per KPB 20.30.060 and 20.60.150.
3. Grant utility easements for the City of Homer's water and sewer mains.

**KPB 20.70.110:**

**A vacation of a city street, public right-of-way, public area, or public easement located within an**

incorporated city may not be approved without the consent of the city council. The Homer City Council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the city shall be considered to have given consent to the vacation.

**KPB 20.70.120:**

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

**KPB 20.70.130:**

**THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.**

**END OF STAFF REPORT**

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Venuti moved, seconded by Commissioner Whitney to approve the vacation of a public right-of-way in the Homer area based on the following findings of fact.

*Findings:*

- 1. The proposed vacation is within the City of Homer.
- 2. Development within the property is subject to the requirements of the zoning district.
- 3. The property is within the Central Business District.
- 4. Homer Advisory Planning Commission conditionally approved the proposed vacation on April 5, 2017.
- 5. Sufficient rights-of-way exist to serve the surrounding properties.
- 6. No surrounding properties will be denied access.
- 7. Per the submittal, the right-of-way proposed for vacation is not in use for access.
- 8. Per the submittal, the right-of-way proposed for vacation has not been constructed.
- 9. Homer Electric Association requested a 20-foot easement centered on their existing overhead power line.

Commissioner Ecklund stated that it seemed odd that they are doing this small vacation of this unused platted road. She asked if this was usual and if the other property owners will ask for a vacation as well. Mr. Best replied thought so but wasn't sure what the City of Homer had planned for that unused 30 foot portion. A lot of times, they save out a portion for water, sewer, electric, etc. He stated that property owners could petition to have the rest of it vacated at a later date but wasn't sure that would happen.

**VOTE:** The motion passed by unanimous consent.

CARLUCCIO ABSENT	ECKLUND YES	ERNST ABSENT	FOSTER YES	GLENDENING YES	ISHAM ABSENT	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY YES		9 YES 3 ABSENT

Chairman Martin passed the gavel to Vice Chairman Ruffner due to a conflict of interest in the following public hearing.

**AGENDA ITEM F. PUBLIC HEARINGS**



